Thanks so much...

for downloading a free issue of *Digging History Magazine*. It is my pleasure to share with you my passion for history and genealogy. The magazine, now published bi-monthly (as a PDF and delivered by email) with between 75-100+ pages of articles (no ads), strives to highlight unique events or characters – most of which you have never, ever heard about (I promise!).

The May-June 2019 issue is a good example, an issue which features the great state of Colorado with a 25+ page article about Leadville – without once mentioning Baby Doe Tabor I might add! Most genealogy-related articles include stories anyone interested in history and/or genealogy will enjoy.

As a genealogist I believe it is important to have more than a passing knowledge of history. I've found my research and writing for *Digging History Magazine* makes me a better genealogist. Many times I've been able to make historic connections to genealogical records, and I believe you will also find it to be true.

I research, write, edit, design the graphics and publish the magazine. As one might imagine, it takes a tremendous amount of time to get an issue out. If you've previously stopped by the Digging History blog, you will note with the magazine I am able to write as much as I want – most articles are several pages in length, meticulously researched and sourced. My work as a genealogist and a writer/editor/publisher is a business, not a hobby.

Therefore, I invite you to consider becoming a subscriber. With three options (3-month, 6-month and one-year) there is one to fit every budget. Once purchased the subscription will automatically renew (charged to your credit card) until you tell me you'd like to cancel. You will find subscription options at:

https://digging-history.com/digging-history-magazine-subscription/

I often write of my own "research adventures" or share stories I've discovered while researching for my clients. History doesn't have to be boring ... some articles are even written a bit tongue-in-cheek! By the way, article submissions are most welcome! Contact me at seh@digging-history.com.

Feel free to share this free issue with friends and family. Enjoy!

Uncovering history one story at a time,

Sharon Hall
Researcher, Writer, Graphic Designer, Editor and Publisher
Digging History Magazine

DIGGING HISTORY

MARCH-APRIL 2019

A MAGAZINE OF HISTORY AND GENEALOGY

Adios, Texas Confederados Olá, Brasil

IN THE PUBLIC DOMAIN
The Grandest of Re-Openings

Test Tube Tots:
21st Century Moral Dilemma?

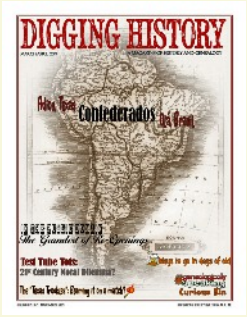
Ways to go in days of old

genealogically speaking
Curious Kin

The "Texas Troubles": Blaming it on a match?

DIGGING HISTORY

A bi-monthly publication of Digging History Media
Web Site: www.digging-history.com
Contact Us: seh@digging-history.com



ON THE COVER

IN THIS ISSUE

but first, a word from the editor...

In some Southern states April is designated as Confederate History Month. Last year's April issue and part of the May issue was devoted to the Civil War and its aftermath.

Although I didn't actually plan a Civil War focus for this issue, it just sort of morphed into one which features quite a few stories related to that conflict. It has turned out to be a more "stream of consciousness" series of articles as I've taken off on more than one "adventure in research" while doing genealogical research and reading history books. Stumbling across unique and interesting bits of history is always a good starting point for writing an article.

Some of the stories led me to ponder further regarding consequences. Thus, this issue has a "consequential" tone:

Confederates fleeing the land of their birth following the Civil War. Some disappeared from United States records. Where did they go? As genealogists today how do we ever find these "elusive ancestors"?

DNA technology is advancing rapidly. We can now be linked to relatives we never knew we had. That same technology can "un-link" us as well. Are there moral or ethical implications?

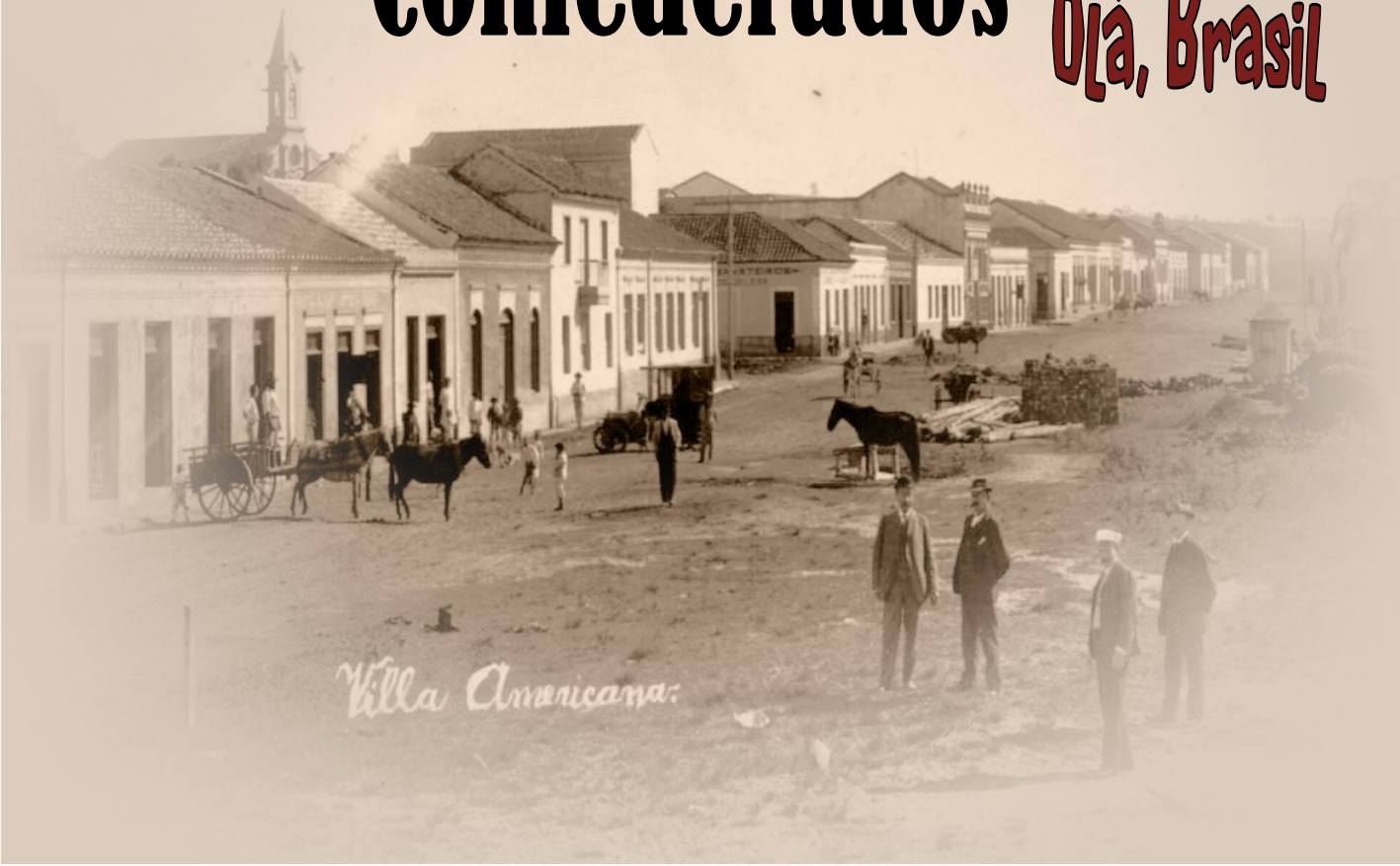
This issue took longer than anticipated to write and publish (and polish) – the more I pondered, the more time I needed.

Nevertheless, I hope you enjoy it and learn something new. Who knows, it might give you something to ponder about as well.

Speaking of pondering, I'm already thinking about the next issue (May-June). Currently, the plans are to feature stories from the great states of Colorado and Kansas – crazy people, sod houses, ghost towns, feisty females and more. Stay tuned!

Sharon Hall, Publisher and Editor

Adios, Texas Confederados Olá, Brasil



Every year a unique piece of history is commemorated with a series of celebrations near Santa Bárbara d'Oeste, a city located in the State of São Paulo, Brazil. These gatherings are unique in that each celebrates and reunites descendants whose forbears fled the land of their birth, unable to stomach the prospect of living under the heavy-handed thumb of "Yankee rule" following the Civil War. Instead, these disaffected Confederate exiles ("Confederados") packed up belongings, left their homes (or what was left of their homes in some cases) and headed even deeper south to places like Mexico and Brazil.

The idea of Americans migrating south wasn't exactly new. In the years leading up to the Civil War much was made of so-called "filibusters" or "freebooters" who made it their business to operate outside the margins of established United States foreign policy by "invading" Latin American countries like Cuba and Nicaragua, fomenting and supporting revolution.

Tennessee-born William Walker (1824-1860) was quite accomplished, yet un-focused in his pursuit of a career. Walker graduated from the University of Nashville at the age of fourteen; received a medical degree at the age of nineteen; studied abroad; practiced medicine for a time before heading to New Orleans to study law, before giving up the practice of law to become the editor of the *New Orleans Crescent*. He made a name for himself (finally), however, after migrating to San Francisco where he served as editor of the *San Francisco Herald*. A duel with law clerk William Hicks Graham didn't end well for Walker who couldn't

manage to get off a single shot. Instead, Graham seriously wounded Walker who was forced to surrender.

The Man Who Would be King

One wonders whether Walker was merely an unfocused hothead or possessive of some sort of Napoleonic complex (being of slight build, at 5 feet and 2 inches, weighing 120 pounds). He seemed to be constantly in need of conquering one thing or another. In 1853 he turned his focus to a manifest destiny-like scheme concocted to install himself president of the Republic of Lower California (Baja) with former New Orleans law partner Henry P. Watkins as his vice president. The new "country" would be slave-friendly, operating under the laws of Louisiana.

Beginning in October 1853 he spent most of the next three months evading Mexican military forces than actual conquering. By May 1854 his grand plans disintegrated when he and his forces surrendered soon after crossing back into California. In a trial later that year he was tried for violating the Neutrality Act of 1794 for his part in starting an illegal war with Mexico.

However, Walker managed to evade prosecution following a rousing speech, one not in defense of himself but rather the rights of Americans to expand their borders. The jury, deliberating all of eight minutes, declared him not guilty.

Undeterred, Walker turned his focus beyond Mexico to Nicaragua. Long story short, this so-called "Man of Destiny" met his demise after fomenting revolution, assuming the rank of General Walker, commander-in-chief, and later installed as president of the Republic of Nicaragua. His term in office was brief after agitating nearby countries with his saber-rattling foray. More significantly Walker ruffled the feathers of the United States and British capitalists who had their eyes on fortunes to be made in Central America. After serving as president of Nicaragua Walker returned to the United States to make a series of headline-making speeches. He wasn't giving up on Nicaragua either.

Another expedition was organized, Walker was arrested and tried (and acquitted yet again) and then on to Nicaragua with a small band of 200 men, only to be captured by another privateer of sorts, Commander Paulding of a United States frigate, the *Wabash*. Both were in hot water with the federal government, although Paulding seems to have suffered most with a stern federal rebuff.

Walker continued his attempts at expedition and conquest three more times. His last foray, launched from Mobile, Alabama in August 1860, proved fateful after he and his forces landed in Honduras and captured the port of Trujillo. Honduran forces rallied and Walker, forced to surrender to a nearby British ship, was later executed in front of a firing squad on September 12, 1860.

William Walker had, in his brief life, managed to convince more than a few Southerners of the need (or, was it greed?) for establishing slave colonies in Latin America. Still, after suffering a humiliating defeat, Confederates may not have been as concerned with establishing slave colonies as they were just "getting the heck out of Dodge". Perhaps Walker's experience and early demise served as a cautionary tale.

Brazil had a history of slavery, yet by the time the American Civil War ended was already on its way to abolishing the practice. Thus, it seems unlikely that Southerners were looking to hold on to the recently-vanquished culture of enslaving others for profitable gain.

In actuality an exodus had already begun before the conflict was over, and not entirely related to ravages of war. Drought and years of bad crops had brought parts of the South to the brink of starvation. The devastating loss of life, property (including slaves) and fortunes only deepened the need for an escape route.

In August of 1865 a prominent Calhoun County, Alabama official alerted Governor Lewis Parsons of dire conditions:

I pledge you my word, I've never heard such a cry for bread in my life. And it is impossible to get relief up here. The provisions are not here and if they were there is no money here to buy with. . . If anything can be done, for God's sake do it quickly. This is no panic but real great hunger that punishes the people.[1]

Cherokee County (Alabama) suffered the most after combatants spent nearly two weeks in 1864 going through and taking what they wanted, living little for residents to subsist on, especially after massive crop failure that year and the next. By 1866 several working class families had no land or food and headed west to Texas and Arkansas (among others).

For those of a more affluent class the reasons for migrating away from the South were more political. "Having exerted every ounce of their emotional energy in the defense of slavery and states' rights for a generation, and having fought the nation's bloodiest war on behalf of those beliefs, they could not reconcile themselves to defeat."[2] Louisiana's Confederate General P.G.T. Beauregard attempted to negotiate with other nations, Brazil included, for the services of his prodigious military skills.

General Jubal Early, an irascible character if there ever was one, was another obstinate belligerent who summarily refused to donate money for building a monument to Robert E. Lee. His reason? The granite would be quarried in Maine. Early once confided to a friend "that if forgiving enemies was essential to salvation, he was afraid that he would be consigned to perdition."[3]

To be sure, opportunities in far-flung western U.S. territories were also enticing to many who didn't necessarily want to entirely forsake their nation of origin. A number, however, were looking to more exotic, far-away locales. Brazil's Dom Pedro II and Mexico's Maximilian were already making the case for Confederate immigration by offering land deals, easy payment plans and, at least for a time, slavery.

Seeds of "Brazil fever" had been sown not long after the Civil War began when notices circulated in newspapers throughout the South warned "my seceding countrymen to dispose of their slaves while they could get something for them, and urged such of them as understood the cultivation of cotton to come to the Brazils, where they could get land for the asking, which would be much the best way of seceding."[4]

The Portuguese had originally settled in Brazil, but after discovering gold had largely forsaken cultivation of rich soils certain to be hospitable for income-producing crops of cotton, coffee and sugar. Brazil was more than anxious to roll out the red carpet, as evidenced by its proposal of donating one thousand acres to each settler. If a former Confederate was so inclined he might even be able to negotiate even more favorable terms "which render the inducement to emigrate stronger."[5]

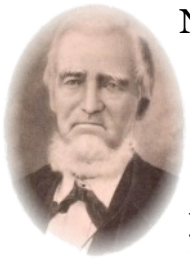
Accounts from Selma, Alabama were reporting "fine plantations, including buildings", formerly worth fifty dollars per acre were going for a mere three to five dollars per acre:

Many who have lost all they possessed in cotton, negroes and stock, are anxious to sell part of their plantations, in order to raise means of carrying on the balance. Many of the last ditch men wish to emigrate to Brazil, or some other foreign country.[6]

Faced with the prospect of financial ruin in Alabama, prospective emigrants could still be better off in Brazil, where land was being offered at less than a dollar per acre.[7]

While many ex-Confederates feared the worst, one had decided "Yankees are not such mean fellars after all"[8], at the very least temporarily forestalling earlier vows to flee. Meanwhile, things were heating up in Texas as General Jack Hamilton, Provisional Governor of Texas, arrived in Galveston in late July 1865. A former political opponent predicted Hamilton would unite with Texans to "harmonize with him in every effort to restore the State to her normal relations, and to repair, as much as may be, the damage done by the war."[9] Across the Deep South, however, a number of Confederates were deeply concerned about prospects of getting along with Yankees.

Of course, not everyone who migrated to Latin America and Brazil was successful enough to remain. Many immigrated and returned, often not long after arriving. The family of William Hutchinson Norris was exceptional, however, in that they managed to successfully root themselves in Brazil.



Norris, an Alabama state senator and Grand Master of Freemasonry, was said to have been in possession of a small fortune in gold buried in his yard. Union soldiers intent on pillaging his property and absconding with his gold were prevented from doing so when Norris's wife "shook the officer's hand Masonically".[10] The gold was more than adequate to purchase 500 acres in Brazil and establish Villa Americana near Santa Bárbara. Americana would become the largest Confederate settlement in Brazil.

Norris children married children of other Confederate exiles, established homes and remained (for the most part) in their newly adopted country. Clay Norris, in particular, harbored a long-simmering contempt for Yankees. For years to come, mention them or the North and expect a blue streak of curses and invectives.[11]

Northerners weren't exactly mourning the prospect of a mass-exodus of Southern malcontents. In parlance akin to "don't let the door hit you [you know where] on the way out" the *Buffalo Advertiser* opined:

A number of families of the State of Mississippi have resolved to emigrate to Brazil. Col. Wm. Wallace Wood, formerly editor of the Mississippi Free Trader, has started for Rio Janeiro to make the necessary arrangements. It is said that fully a thousand persons are embraced in the enterprise. Of course they are all rebels. Their reason for preferring Brazil to all other counties is that slavery still exists there. We can't say we mourn at the prospect of their departure. It is to be hoped that the movement will not be restricted to Mississippi. There are people in other subjugated States that might leave their country for their country's good. We presume they are all informed that in Brazil all free black men, and men of all degrees of mixed complexion, possess the same rights as those of the purest Caucasian descent. Negroes vote, negroes hold office, one of the imperial cabinet is a negro. We trust that the emigration will include a large proportion of politicians, women and parsons, the three most malignant and pestiferous classes of rebel society.[12]

OUCH! Is it any wonder a number of emigration societies sprang up, organizing expeditions to potentially spirit thousands of Confederates out of the United States? In reality, however, it now seems likely that fewer than ten thousand actually took the most drastic of measures.

It was certainly a risk which not everyone was inclined to take. Some would lose everything in flight as more than a few ships wrecked, yet emigration societies were undeterred in their grand plans for mass emigration as notices were continually posted in Southern newspapers for months to come.

One group of Texas immigrants experienced shipwreck near the Cuban coast, no doubt greatly relieved upon receiving word the Brazilian government was generously offering free passage and promising to replace tools and implements lost in the disaster.[13] In early 1866 another group of Texas immigrants, led by Frank McMullan, a particularly disaffected Southerner, had also experienced disaster off the coast of Cuba.

McMullan had already given up on the South's cause by early 1865 and making plans to exit the country as soon as possible. No way, no how was he prepared to submit to Yankee or Negro rule. Alfred Iverson Smith, Georgian by birth, had migrated to Texas in 1856. Alfred became acquainted in his youth with the McMullan family after deciding to strike out own his own, foregoing his family's legacy as successful farmers.

Hugh McMullan (Frank's father) invited Alfred to stay at his home in Walker County. Alfred, young as he was at the time (around fourteen) was well educated. Hugh suggested teaching as a possible career path to pursue. As it would take some time to establish a school, Alfred was welcome to live with his family.

Once a school was established Frank was among his first pupils. Despite being only a few years younger than his teacher, Frank developed a close and long-lasting friendship with Alfred. When the McMullan family removed to Mississippi in 1844 the parting was painful, yet the two remained faithful correspondents.

In 1853 the McMullans settled in land newly available in Hill County, Texas. Letters exchanged in the months to come contained high praise for Texas. After Hugh offered Alfred a home the decision to relocate to Texas in 1856 was made. By this time Alfred was married (Sarah) and the father of five sons and one daughter. The family settled in the community of Spring Hill in Navarro County.

As war clouds gathered in 1860 both Alfred and the McMullans were prepared to wholeheartedly support the South. Smith, according to his daughter Bellona, was "a staunch secessionist and of southern principles to the back bone. Never owned a negro in his life, but believed in States Rights; therefore he could not make up his mind to submit to Yankee rule."[13]

It didn't take long for Alfred to join the Confederate army. Stationed at Galveston, he served as a bugler (he was also a music teacher). Despite not having participated in a major battle, Alfred was overcome with unease, as Bellona related decades later, possessed of "a premonition of the reconstruction horrors that followed Yankee rule."[14]

His first instinct had been to take his family to Mexico. A personal plea from Frank McMullen is alleged to have changed his mind and agree to join his longtime friend and confidant:

Don't run away . . . [to Mexico] until I tell you about the real South – this new land under the Southern Cross where a gentleman is treated like a gentleman and

there are thousands of rich acres waiting for us progressive farmers. I tell you we're going to empty the Old South for the Yankees, let them have it if they think they know how to run it better than we did. I'm taking my family to Brazil, the empire of freedom and plenty.[15]

It wasn't a difficult decision for Alfred, as Bellona would remember it as near instantaneous – her father would gladly "follow Frank to the end of the world and die for him if need be. And Frank was truly worthy of their devotion."[16]

Alfred Smith and his large family did indeed follow Frank McMullan, who died at Iguape, Brazil on September 29, 1867. The Smith family put down solid Brazilian roots after eventually finding William Norris's settlement more to their liking. Sarah Bellona Smith married Turner Ferguson, member of another immigrant Confederate family.

At the age of eighty-six Bellona agreed to provide an account, recorded by nephew Oliver Ferguson and later passed down to Reverend Cyrus B. Dawsey, Jr. to be included in the book he co-edited, *The Confederados: Old South Immigrants in Brazil*. While her account wasn't particularly lengthy it was nevertheless enlightening. A few selected excerpts as published in *The Confederados*:

Frank McMullen [how she spelled his name]-Bowen colony. One writer speaking of these emigrants said "a number of hot-headed secessionists, rather than take the oath of allegiance" etc. Now I do not think them hot headed, but brave-hearted hero[e]s. These high-toned gentlemen – ex-Confederate soldiers – were not influenced by "appointed agents of a social club," as a late writer states, nor were they in any way connected with a society founded for that purpose. On the contrary, [the emigration] was an independent move on the part of the individual.

Neither were our fathers needled into the movement. My dad, for instance, had already sold out to go to Mexico, having a premonition of the reconstruction horrors that followed Yankee rule when Mr. Frank McMullen came along with his proposition to head for Brazil. I was only ten years old, but remember it perfectly.[17]

Frank McMullen had laid the groundwork for a successful transition following extensive travel throughout Brazil. He and Colonel Bowen secured a land grant from Dom Pedro II near the headwaters of the Juquiá River. While Frank returned to Texas Bowen remained to supervise construction of a ranch, adequate enough to house colonists while awaiting acquisition of their own land.

Bellona well-remembered the day her family departed Spring Hill:

It may be of interest to remark, by way of contrast between the present and olden times, that when we left our home near Spring Hill, Navarro County, Texas, we traveled in an old-fashioned covered wagon. This was in 1865[sic-1866], November 9. The nearest railroad station at that time was Milligen. It took two weeks to make the journey. Of course we had a tent and camped out every night on the open prairie. We children thought it great fun, a jolly picnic, an exciting experience remembered with pleasure till this day.[18]

Other families joined them along the way. The Green family would settle in Brazil. At the time of Bellona's account their descendants were many, all living in and around São Paulo. These Texans were about to embark on an adventure none had ever imagined. First, by rail to Houston, then on to Galveston where they boarded "an old

dilapidated brig, called Brig *Derby*, captained by one [Alexander] Causse."[19]

Their entourage departed on January 22, 1867, arriving in sight of Cuba the evening of February 25. The ship hadn't made particularly good time and was due to stop in Havana for fresh water and fruit before going on to Brazil. The day had been clear and calm until a sudden northern gale struck near nightfall.

The storm's full fury, unleashed well after dark, brought floods of water across the ship's deck which in turn went down the hatchway, flooding the lower deck. A minister, Parson Quillin, was sure they were all doomed.

From the outset things apparently weren't destined to go well under the auspices of Captain Causse:

The Captain was an Americanized Spaniard. We learned afterward that [he] had been bribed by the Yankees to wreck the vessel somewhere on the coast, and that was why he had never sailed out to sea. Soon after the storm began, he tied up the helm and retired to his cabin, leaving that whole crowd to the mercy of the waves and storm. When the trick was discovered, McMullen and Judge Dyer and other resolute men entered the [cabin] and at the point of [a] six shooter forced the captain to loose the helm. He immediately called on the sailors to cut away the mast, which our men, pistols in hand, prevented.[20]

It was too late, however, despite vigorous efforts to man the pumps overnight. The waves kept crashing across the deck, followed by a leak too difficult to manage. Wind and wave continued to batter as the ship drifted along, before landing on rocks. Somehow, following daybreak, the captain and his crew managed to extract passengers on to a remote area of eastern Cuba. Other ships, battered and wrecked with considerable loss of life, hadn't been as fortunate.

A wealthy Cuban rescued them, providing shelter and food. Meanwhile, Frank McMullen had rushed off to Havana in search of another ship. With none available he instead was forced to sail to New York in order to book a steamer to take his colony to Brazil. While awaiting his return colonists explored their exotic environs, amazed by sugar plantation operations, amused by "pickaninnies, stark naked playing in the hot sunshine."[21]

Once a steamer was arranged, colonists departed to New York to board it (unclear as to why the steamer didn't pick them up in Cuba, however). Preparing to depart New York in March 1867 the group was again delayed by a storm, forced to wait another adventure-filled month of sight-seeing.

The colonists departed on April 14 and after an uneventful voyage arrived in Rio thirty-two days later. Dom Pedro II had taken personal interest in Southern immigrants, arranging short-term accommodations in a large hotel upon arrival in Rio. Their group spent five days there before proceeding down the coast to Iguape.

For the Smith family, Iguape was only the beginning of their journey which would take them up the Juquiá to the ranch Bowen had constructed. Most of the group remained until Frank McMullen's death. The Smiths stayed for nearly two months following his death. After that, according to Bellona, "it was every man for himself." Some families were discouraged enough to return to the United States, while others founded homes along area rivers.

As far as the Smith family was concerned Brazilians were "the kindest people in the world [treating] strangers with the greatest consideration."[22] After departing Bowen's camp the Smiths traveled by dugout to the mouth of the Areado. There they finally

took possession of land and a home, a shack constructed as one long room, walled by palm slats and covered with palm leaves.

Alfred began planting crops and building a proper home for his family. Meat was scarce but they adjusted well enough to their surroundings. Dad conducted lessons around a roughly-hewn table every night and books furnished to them by a New York city charity provided both entertainment and education.

Those first years were difficult as many things, including food acquisition and preparation (not to mention other essentials such as shoes), forced them to think "outside the box" in order to survive. Perhaps it was the isolation which finally compelled them to seek out "more civilized country". Eugene Smith had already struck out on his own, married (Sue Bowen) and had a child of his own.

After an arduous journey by foot and oxcart the Smith family traveled to an area near where the Norris family and a number of other Confederate exiles had settled. It had taken almost two years to finally reach their (permanent) new home.

Even at an advanced age Bellona Smith Ferguson still had plenty of precious memories of early adventures. She was especially proud of American contributions to Brazilian culture, including the introduction of plows, watermelons and the fact that "every caipira [hick] goes shod."**23**

Confederate exiles married one another, married Brazilians or immigrants from other countries, many choosing to remain in their adopted country. Descendants remained true to their Southern heritage and most recently have faithfully celebrated their unique heritage since 1986 at the annual Festa Confederada held near Santa Bárbara. This year's festival takes place on April 28, as indicated on their Facebook page (the posting roughly translated from Portuguese to English):

Held since 1986, the Confederate Party was organized to keep alive the memory of our ancestors, who had their monthly meeting place in the Campo Cemetery. It is reported that they met one Sunday a month in the cemetery chapel to hear the gospel, then pay references to those who had already left for the heavenly homeland and fraternize with the other immigrants.

*The Confederate Feast is one of the greatest cultural events of Santa Bárbara d'Oeste, being the only event of the municipality included in the official calendar of the State of São Paulo. It aims at the recognition of the descendants, their relatives and friends, as well as the raising of funds for the preservation of the Cemetery and its dependencies.***24**

The Confederate flag will undoubtedly be on unabashed display in various forms. According to *The Confederados* (published in the 1990s), one might also observe:

*. . . people from throughout the country gather at a small chapel and cemetery situated amid the sugarcane fields, where, dressed in costumes of nineteenth-century America, they sing old Protestant revival hymns and listen to a sermon. After the worship service the people share a traditional dinner on the grounds, which includes biscuits, gravy, and Southern fried chicken. Some of those eating do not look Brazilian. They have red hair, freckles, and blue eyes. The older ones spend the afternoon in conversation, catching up with news of family and friends. They talk, not in Portuguese, but in a quaint English dialect. The younger ones dance, play, and listen to the oft-told stories of their elders.***25**

In 2014 much the same was observed, although it appears younger generations aren't exactly enamored with their heritage, one young woman, upon being asked about

the connection between slavery and the American South, admitted:

*"I've never heard that before," she said. She wasn't sure why her ancestors had left the States. "I know they came. I don't really know the reason," she said. "Is it because of racism?" She smiled, embarrassed. "Don't tell my grandmother!"***26**

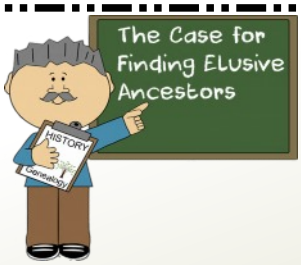
While many settlements had folded by the early 1900s, Americana, founded by William Hutchinson Norris, managed to not only survive but thrive. A stroll through Cemitério dos Americanos reveals the surnames of original settlers: Norris, Steagall, Green, Bowen, Ferguson, Whitaker. One tombstone belonging to Roberto Stell Steagall (1899-1985) is proudly (perhaps somewhat defiantly) inscribed:

Once a Rebel
Twice a Rebel
and
Forever a Rebel

Alfred Iverson Smith remained in Brazil, although it's somewhat unclear as to where he is buried. Find-A-Grave records a "virtual" entry in Pernambuco and his date of death as November 6, 1892. Sarah Jane (Bryce) Smith died on February 7, 1911 (Find-A-Grave) and may be buried in or near São Paulo.

Editor's Note After relying primarily on *The Confederados* as a resource for this article, I decided to go back to Ancestry records and see what else I could glean from this family's history. The 1860 census, the last United States record for the family available at Ancestry, presented rather bleak prospects for finding more genealogical records. Or did it? Read on.

Elusive Ancestors? Crack Open a History Book or Two (or Three)!



by Sharon Hall

Anyone who has spent any time researching family history has them. *Elusive ancestors.* A genealogical thorn in our collective sides they are. Where in heaven's name did they go? How could an entire family seemingly vanish off the face of the earth (or so we think)?

I thought a lot about "elusive ancestors" while researching the preceding article. While it's an important piece of American history, just how many people are aware of it? The Smith family is a perfect example of history and genealogy working hand-in-hand.

While researching their self-imposed expatriation I turned to records available at Ancestry.com, the most prominent being the 1860 census. To begin with, the "Smith" surname is among the most challenging to research – the same goes for "Jones" and any number of common names. In the case of the 1860 census for the Smith family it becomes even more challenging because, except for the mother, only initials appear in the record:

A J Smith	40
Sarah J Smith	28
J W Smith	13
J B Smith	11
A P Smith	10
W P Smith	6
M A Smith	5
S B Smith	4
R S Smith	1

If potential related records are available, Ancestry lists them to the right of the transcribed record. For all Smith family members listed, there are no (Zero) related

records except a handful of vague (and incorrect ones) linked to "Sarah J. Smith". There is no marriage record linked for Alfred and Sarah (yet) so I don't even know her maiden name.

If I knew nothing (or next to it) about this family I would be stumped. . . BIG TIME(!). I was a bit puzzled as to why there wasn't at least an 1850 census record, but of course, records on Ancestry don't always reliably track ancestor migration.

Between the 1850 and 1860 census the Smith family headed west to Texas at the urging of the McMullan family. However, Ancestry logic and algorithms don't know that. This is where research outside records repositories like Ancestry and Family Search is absolutely necessary.

Google (or the search engine of your choice) is a good place to start. However, to narrow results I recommend the use of quotes. Searching for "Alfred Iverson Smith" (with quotes) yields 81 results. Searching without quotes yields an astronomical 902,000 results! Use the quotes.

The first of 81 results is actually a good one – it's the Find-A-Grave entry for this particular Alfred Iverson Smith (there was at least one other in Georgia with the same name). It appears to be what I call a "virtual" entry because it only really lists birth and death dates and vague locations of where each event likely occurred. These types of entries can be helpful, yet caution is in order. Of course, if I really didn't know that much about Alfred I would be astounded to learn he may be buried in Pernambuco, Brazil – but why?

Might this be the "A.J. Smith" I found in Navarro County in 1860? Where is the 1850 census record? What about his children? When did he marry? Where was his wife buried? So many questions which need to be answered. Luckily, there is at least a link to Sarah Jane's Find-A-Grave entry (and another "virtual" one).

If the link to Sarah Smith's entry is valid (as well as the ones linking her to potential parents and children), then I may be in luck (I was). Sarah's parents were James Fulton and Eleanor Ray (Sharp) Bryce, both buried in Carroll County, Georgia. Also listed are twelve (potential) siblings, none of which are buried outside the United States as Sarah likely was.

Partial answers. I at least have Sarah's maiden name. Also, might Alfred and Sarah have been living near the Bryce family (presumably in Carroll County) in 1850? A search for Smith in Carroll County reveals another "A.J. Smith" record, but this time with the complete names of the rest of the family (Sarah and three children: Ira, Eugene and Alfred). It is frustrating when we find only initials in a census record. However, such were the times as many men were often referred to only by their initials in newspaper accounts (a nice little factoid to be aware of).

Clicking the "Sarah Smith" 1850 link brings better results, although there are still several vague and related hints. Most importantly, however, there is a Georgia marriage record for Sarah Jane Bryce and Alfred J. Smith, married in Carroll County on October 10, 1845.

Other records for Sarah include two Find-A-Grave entries and an Arizona death record. Hmm. Fortunately, this link provides quite a bit of information on one of the Smith children, Virgil Sebastian Smith, who was born in 1859 and died in Maricopa County, Arizona in 1938. Was he ever in Brazil with Alfred and Sarah? If so, he obviously returned to the United States at some point. The 1860 census listed seven children. What happened to the rest? More on Virgil and his siblings later.

Back to Google. Of course, it's not always the case to be so fortunate, but near the top of the original search results (5 down) is a link to Google Books for *The Confederados: Old South Immigrants in Brazil*. Opening the link I found at least two references to "Alfred Iverson Smith". The first is on page 50 which is the beginning of a chapter entitled "Settling: Migration of the McMullan Colonists and Evolution of the Colonies in Brazil" by William C. Griggs.

The first search result is a key one because it provides Alfred's full name and one of his children – Bellona. There is also a brief family history in the first paragraph, going on to describe the relationship between Alfred and the McMullan family. While pages 55 through 59 are excluded and may contain more information, the first pages of this particular chapter told me enough about how Alfred (1) decided to migrate to Texas and (2) why he left Texas and was never seen in another United States census record. The family's "disappearance" wasn't attributable to a serious tragedy or disaster. Rather, Alfred voluntarily expatriated his family to Brazil.

For some researchers those four pages might suffice, but I, being the snoop that I am, wanted to know more about this piece of history I'd never heard about. I purchased the book and so glad I did. It is quite enlightening, consisting of a series of thoughtful essays and accounts of how the descendants of ex-Confederate Southerners, remain in Brazil and still "whistle Dixie".

The Children of Alfred Iverson Smith

Going back to the 1860 census record there are scarcely any links to any of the children, likely by virtue of there being only initials recorded. "A.P. Smith" does generate some clues which may or may not be one and the same person. Clicking on "Ira W. Smith" in the 1850 census does, however, yield a few clues. There is a Civil War record for 15 year-old Ira Smith in Navarro County, presumably one and the same. Clicking on "Engene Smith" (incorrectly transcribed) generates zero links, nor does clicking on the child named "Alfred". This might be a good place to just give up, but at least one other source enumerates the children of Alfred and Sarah.

It's a census record of sorts, just not a United States record. Recalling the chapter written by William C. Griggs and checking *The Confederados* bibliography, there is a reference to an entire book written by Griggs entitled, *The Elusive Eden: Frank McMullan's Confederate Colony in Brazil*. For anyone interested in learning more about Confederados this is yet another excellent resource, providing detailed information not included in *Confederados*.

In the appendix is a record entitled "Census of the McMullan-Bowen Colony, As Taken by William Bowen, November 9, 1867". A footnote provides the original source as having been extracted from the Archives of the State of São Paulo, São Paulo.[1]

As the preceding article mentioned, the McMullan-Bowen colonists more or less scattered following Frank's death on September 29, 1867. Had the Smith family not remained for the next several weeks, there may not have been any other reliable record for some time to come as they headed into interior regions of the colony. The Smith family was enumerated (with some age discrepancies and misspellings it appears):

A.I. Smith	male	35
Sarah Smith	female	28
Eugine Smith	male	19
Preston Smith	male	17
Pennington Smith	male	16
Masserly Smith	male	16
Sarah B. Smith	female	11
Virgil C. Smith	male	9
Fulton Smith	male	7

What I noticed almost immediately was a missing child, Ira W. Smith, as he had been enumerated in 1850. Since Ira was not enumerated in Brazil perhaps he remained in the United States. As the oldest child he would have been around 20-21 years old in 1867. Checking possible links from the 1850 census record, the only other link besides the Civil War record is a Nebraska marriage record. It seemed a long shot, but then again, maybe not.

The marriage record could absolutely be coincidental, but indicates this Ira W. Smith's father was named "Alfred G. Smith" (close) and his mother "Sarah Jane Price" (it was Bryce). Definitely a possibility but more research is required. Ira W. Smith married a German (Prussian) woman named Maria Stupied, later referred to as Mary or Marie Smith. They married in Omaha on February 17, 1881. Their firstborn son was named Alfred (after grandfather?).

By 1900 Marie Smith was a widow with four children under the age of 16. Newspaper research revealed Ira W. Smith was well-known in Omaha, a letter carrier and Odd Fellow lodge member. He died at the age of forty-eight on October 25, 1897. All records directly related to this Ira W. Smith (including a list of Civil Service employees) indicate he was born in Georgia.

Seems a distinct possibility this is Alfred and Sarah's oldest son, although I could find no other tree at Ancestry which had discovered what became of him. Did I? (**?**)

Eugene Smith

Eugene was referred to as the oldest son in *The Confederados* and implied as the oldest in *Elusive Eden*. In fact, Griggs provides the names/nicknames of all the children enumerated in 1867: Eugene, Preston, Penny, Marsene, Sarah Bellona, Virgil and Fully.**2**

The best resource for Eugene is *Elusive Eden*, which includes an account of his marriage to Sue Bowen:

*Romance also bloomed on the headwaters of the São Lourenço as Eugene Smith and Sue Bowen announced their engagement. Eugene went to the far bounds of the colony, over the mountains to a spot near Peruibe where he cleared land, built a hut, and planted a crop. The two asked Parson Quillin to perform the wedding ceremony at the Bowen home on the Ariado, and preparations were made for a two-day festa. The wedding was performed in the morning, after which all sat down for a marriage feast in "central Texas" style. About mid-afternoon fellow colonist C.A. Crawley arrived for a visit on the way to Peruibe to purchase supplies. All were delighted to see their companion, especially the parson, who was dissatisfied that no witnesses save family were present to sign the wedding certificate. To correct the situation, he called the newlyweds into a room in Bowen's house, made them pronounce the vows again, then secured Crawley's signature on the official papers.***3**

Clearly, Eugene was putting down roots in Brazil and perhaps assimilating better than some since he had taken Frank McMullan's Portuguese language class during the voyage to Brazil.**4** The wedding was the most detailed account for Eugene provided in Grigg's book. Dig a little deeper? You bet!

Surprisingly, after getting a better sense of the children's names I was able to perform improved searches at Ancestry. With some persistence I finally located a family tree which included a few more details about Eugene. Entitled "History of Alfred Iverson Smith Family", much of the account appears to have been roughly translated from Portuguese to English (name is obviously incorrect or mistranslated):

10/11/1868 - Eugene Fulton Smith (Fully), the son oldest of Alfred Iverson Smith is married Suzana (It sweats) Bowen. They had mounted beautiful residence next to the rivers Sanded Oil and. There it was born Eugenia in 1869, first granddaughter of Alfred and also the first Brazilian of the family.5

The account is linked to a tree record indicating Eugene Bellington Smith was born on April 13, 1848 in Georgia and died on November 26, 1918 in Dois Córregos, Sao Paulo, Brazil (with only sources linked to other Ancestry.com trees, which in turn have no reliable sources). Sources or not, two of the trees claim one of Eugene and Sue's children was named "Ira William Smith" – sound familiar? (√)

Preston Smith

According to the "History of the Alfred Iverson Smith Family" ("Smith History") account, this is likely Alfred Preston Smith (appears on the 1850 as "Alfred" and "A P" in 1860). Griggs only briefly mentions his name, although Smith History indicates he was witness to at least two marriages before his own on February 14, 1878 to a Brazilian woman named Izabel Libania (also known as Izabel Rodrigues). From 1879 until 1902 the couple had the following children: Albert, Ayres, Ney, Lydia, Eduardo, Alfredo, Emerita, Robert and Alice.

Alfred Preston Smith appears to have been a farmer who "innovated agricultural techniques creating the rice and the coffee Smith."**6** (√)

Pennington Ulysses Smith

While the Smith Family account offers nothing but his given name and approximate date of birth (1852), Griggs mentions him a few times (Penny), but whether he remained in Brazil is unclear. (√)

Marsene (or Massena) Arlington Smith

Griggs refers to him as Marsene, while the Smith Family account indicates Massena. Either name is quite unusual nonetheless. He was born in approximately 1853 in Georgia as indicated by census records and the Smith Family account. He married Elizabeth B. Bowen on March 11, 1876 in Santa Bárbara d'Oeste. An un-sourced tree at Ancestry records his date of death as 1916 but no location. Since he married a Bowen, it's perhaps more likely they remained in Brazil. (√)

Sarah Bellona Smith

Oft mentioned in *The Confederados* and *Elusive Eden*, Bellona was the only daughter of Alfred and Sarah Smith. She is the most well-documented in these two books of all the children. She married another immigrant, Turner E. Ferguson, on June 1, 1873 in Santa Bárbara d'Oeste "and lived in South America for the rest of her life."7 (√)

Virgil Sebastian Smith

His name appears in Grigg's book and his Arizona death certificate (cross-linked with his mother's 1850 census record) confirms his parentage. Virgil was born on October 4, 1859 in Corsicana, Texas and died on June 10, 1938 in Maricopa County, Arizona.

It appears that Virgil may have been the most adventurous member of the family, certainly the most widely-traveled. When he left Brazil is unclear, although for several years it appears he moved around the United States and lived for several years in the Mexican State of Chiapas.

According to a United States Consular record filed in 1908, Virgil had been living in Skamokawa, Washington before leaving

the country for a warmer climes and health reasons.

His wife, May (Humphreys), had given birth to their first child (Eugene Pennington) in 1903 while they were living in Chiapas. May, born in Prescott, Arizona, had married Virgil in Tapachula, according to one Ancestry (family tree) source. The documented timeline, using various Ancestry records, indicates:

- December 15, 1895 - Left his residence in Skamokawa to go to Tapachula, Chiapas, Mexico.
- Since December 10, 1899 he had been residing in Escuintla (Chiapas) with plans to start a rubber plantation. A partnership with C.R. Moody had been formed with the intent their contract would expire in 1915. Virgil was planning to remain in Mexico at least seven more years.

Did he remain in Mexico until 1915? It doesn't appear so as birth records indicate his daughter "Ste Jeanne Smith" was born on October 19, 1914 in Ramsey (Anoka), Minnesota, near Minneapolis. According to the 1920 census and birth record, another daughter, Dolly Jessie May Smith, had been born in Maricopa County, Arizona on June 18, 1911.

What had compelled the family to leave Mexico? Was it the Mexican Revolution? Perhaps indirectly: "Conflicts between colonial landowners and the indigenous people continued throughout the 19th century. However, the Mexican Revolution, which started in 1910, left Chiapas largely untouched."[8]

To summarize, Jessie (as she was called) was born in Arizona in 1911, Jeanne in 1914 in Minnesota. Eugene had been born in Mexico in 1903. Newspaper research revealed some interesting tidbits and filled in the timeline:

- Virgil purchased ranch land in Arizona in 1911.[9]
- Perhaps an indication May Smith had lived in Mexico for quite some time, she won a prize for her Mexican rice recipe in 1912 ("Valley Woman Knows How to Make Good Mexican Rice").[10]
- Virgil sold the ranch land in June 1913.[11]
- Jessie had been born in 1911 in Arizona and Jeanne in 1914 in Minnesota. Virgil apparently still had Arizona enterprise on his mind when he returned to tour mining properties in 1915:

Virgil S. Smith, R.C. Jacobson and Jacob Stricker went down to the Copper Canyon mines last Monday, where they looked over the properties of the Leviathan Mining company. Mr. Smith, who came in from St. Paul last week, and who is interested in this company, reports that he was more than pleased with the great possibilities of the mines and the showing of ore in all the openings on the big veins. So confident is he of the ultimate success of the company that he has doubled his holdings in the company. Mr. Smith is also interested in the Zacauplco Plantation company, one of the big rubber growing concerns of Central America. He departed to Los Angeles and San Francisco Tuesday night and will probably return to St. Paul by way of the Northern Pacific railroad.[12]

- In August 1915 Mrs. Virgil S. Smith had entered her son (daughter) Saint Jeanne in the Tri-State Baby show to be held in El Paso, Texas in late September.[13]
- Virgil may have taken up horticulture in El Paso:

VIRGIL S. SMITH EXHIBITS PRODUCTS OF JUAREZ VALLEY

An interesting exhibit of farm products, raised by Virgil S. Smith, seven miles southeast of Juarez, near Cinecue, was brought to the Hill drug store at Second and Stanton streets, Friday. The specimens consist of corn, cane, cabbage and feterita, stalks of the latter reaching to the ceiling of the store.

Mr. Smith has introduced scientific methods of farming and growing grain and forage crops, making use of some of the Burbank teachings. The exhibit is made for the purpose of showing what can be done in agriculture in the Juarez valley.[14]

Mexico, Arizona, Minnesota, Texas. Imagine my surprise to find the family living in Anne Arundel, Maryland in 1920! Virgil was a carpenter at the time. Why or when they moved to Maryland is unclear.

May's father died in Western Canada in 1924 (my, how this family migrated!):

Arizona Pioneer Dies at His Home in Western Canada

Arizona friends have received word of the death of Matt Humphreys, pioneer who came here in the early days of the state. Mr. Humphreys died at his home in Iffleys, Canada, last January, where he had lived for the past 12 years.

He came to Arizona soon after his marriage in 1872 and lived here for several years, later moving to Mexico, where he pioneered for many years. Mr. Humphreys is survived by his son, Benjamin Humphreys of Iffleys, Canada, and three daughters, Mrs. John F. Aherns, Barstow, Calif.; Mrs. Virgil S. Smith of Waterbury, Md., and Mrs. John W. Seargeant of Cashion.[15]

(My theory had been correct – May had lived in Mexico for quite some time.)

- Passenger records indicate Virgil S. Smith (age 77) and Jessie Smith (age 25) were returning to the United States (via Port of New York) from Cristobal, Canal Zone, Panama to their home in Aberdeen, Maryland on August 19, 1936.
- Virgil Sebastian Smith died in Cashion, Maricopa, Arizona on June 10, 1938 at the age of 78.
- May Humphreys Smith died in Salt Lake City in 1971 at the age of 90.[16]

Erasmus Fulton Smith

Since the Smith Family account mistook Eugene for Fully, as his family called him, there isn't much in the way of records for the youngest son of Alfred and Sarah Smith, except he was enumerated in November 1867 in Brazil by William Bowen. He was born after the 1860 census (1861 it would appear).

The only other piece of information found was a small newspaper mention in 1886:

Mrs. E. Fulton Smith, a resident of Rio Janeirò, Brazil, a relative of the Sharps and Bryces of this county, is visiting here, and will probably remain over in this county sometime.[17]

There is an 1889 Alabama marriage record for "Erasmus F. Smith" but unclear as to whether this is the same person (there seem to have been more than one). (√)

Some digging, persistence and a little luck uncovered more about the Alfred Smith family than I ever imagined possible given the bleak prospects of the 1860 census.

Do you have a family mystery you'd like to have me research and possibly solve? It might just make a great story – what have you got to lose?

Drop me an email and let's talk:

seh@digging-history.com

IN THE PUBLIC DOMAIN

The Grandest of Re-Openings

January 1, 2019 was a momentous day for historical and genealogical research. Did you miss it?

Historians and genealogists have perhaps been more keenly aware of the books, diaries, music, works of art and more which were originally published post-1922 which have been in a twenty-year limbo of sorts. While the vast majority of these works are still "frozen" by copyright protection, millions of pages of history will henceforth steadily begin to "thaw" one year at a time.

On October 27, 1998 President Bill Clinton signed into a law a bill which seven months earlier (while still working its way through Congress) had been renamed the "Sonny Bono Copyright Term Extension Act" or SBCTEA. Bono, one of the sponsors of the act's second draft (H.R. 2589) filed on October 1, 1997, was a supporter of the bill, but tragically died in a skiing accident in Nevada on January 3, 1998 before it became law.

United States copyright laws had last been modified in 1976, and this was yet another significant modification since copyright protection was enshrined in Article I, Section 8, Clause 8 of the 1787 United States Constitution:

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

In 1790 this clause was enacted into law by The Copyright Act of 1790, granting authors and creators of original works fourteen years to print or publish, distribute and profit from said works. At the end of the initial fourteen years, the copyright, by application, could be extended an additional fourteen years. As far as American history is concerned this opened the door to what we call the "public domain". As the Association of Research Libraries has observed, "the law was meant to provide an incentive to authors, artists and scientists to

create original works by providing creators with a monopoly."[1] This so-called monopoly was necessary, but limited enough in its scope to encourage creativity in the interest of "science and the useful arts". As copyrights expired these works were gradually rolled out for the public's benefit – hence, the term "public domain".

In 1802 the act was amended to extend protection to etchings. The amendment also included a provision for requiring newspaper publication of a notice, as well as inserting on the title page language similar to "Entered according to act of Congress, the ____ day of 18__ [Here insert the date when the same was deposited in the office] by A B of the state of [Here insert the author's or proprietor's name and the state in which he resides."[2]

In 1831 a revision was enacted which provided twenty-eight years of initial protection with the possibility of applying for a fourteen-year extension. In many ways this revision mirrored similar protections extended to European authors. Even as copyright protection was extended one case argued in 1834 (*Wheaton v. Peters*) before the U.S. Supreme Court made it clear that copyrighted works could not be perpetually extended. The decision affirmed and upheld the original clause which expressly provided for "limited duration" of exclusive rights.

Another revision occurred in 1870 when jurisdiction for registering copyrights moved from district courts to the Library of Congress Copyright Office, initially under the direction of the Librarian of Congress. In 1897 the Copyright Office became a separate entity and was directed by a Register of Copyrights.

Not long after the turn of the twentieth century it became clear major changes in copyright laws were required. Everything doubled, even registration fees which increased from 50 cents to one dollar. The revision also doubled copyright extension to twenty-eight years, providing a total of 56 years of protection. It clearly tipped the scales in favor of proprietor rights versus public interest.

Congress, well aware it was in a difficult position in regards to this delicate balance, inserted the following language:

The main object to be desired in expanding copyright protection accorded to music has been to give the composer an adequate return for the value of his composition, and it has been a serious and difficult task to combine the protection of the composer with the protection of the public, and to so frame an act that it would accomplish the double purpose of securing to the composer an adequate return for all use made of his composition and at the same time prevent the formation of oppressive monopolies, which might be founded upon the very rights granted to the composer for the purpose of protecting his interests.[3]

The new law, entitled "An act to amend and consolidate the acts respecting copyright", went into effect on July 1, 1909. As one newspaper pointed out, the bill wasn't a "little thing" with its 8,500 words of "statutory verbiage, divided into sixty-four sections, many of which are interlarded with the italicized 'provided,' which lends such ominousness to many people who have been fuddled at odd times in their lives by looking into a volume of revised statutes."[4]

The excessive "statutory verbiage" may have seemed burdensome, yet it was entirely necessary in this case. Why? Think of the nineteenth century as the "century of acceleration". Think of the progress, the inventions during that period of rapid advancement: cameras and photography, the phonograph, the telephone, and more. In 1909 major motion picture production was on the near horizon.

With additional "i's to dot and t's to cross", it seemed just as likely to benefit lawyers. The Minneapolis *Star Tribune* thought so too:

In proceeding against an infringer of copyright, the claimant has first a recourse through injunction issued by the United States Circuit court in the states, the District courts of the territories, and the Supreme Court of the District of Columbia.

He is entitled to damages, in addition to all profits which the infringer may have made from the sales, and in determining this the prosecutor has only to prove the sales; the defendant must prove every element of cost which he may claim in offset of profits . . .

*Altogether this new copyright law in effect July 1 is a formidable piece of statute making which the interested layman well might take to his attorney for strict rendition of its technicalities.***5**

In 1976 the copyright laws were again updated, again in response to rapidly-developing 20th century technology and to bring the United States more closely aligned with international copyright law. This time, however, there were no doubling of initial protection and extension provisions. Instead, all works by an author would be protected during his or her lifetime plus 50 years (75 years if the work had been done under contract). The original premise of the 1790 act seemed to have become passe altogether as the 1909 act was suspended and replaced.

Between 1976 and 1998 technology continued to advance as computer software and its distribution rights became an issue. Both the Internet and the digital age were looming as well. International trade agreements and copyright laws and disputes over intellectual property further complicated matters.

Blame it on the Mouse

By the early 1990s corporations, most notably Disney, began lobbying for extended copyright protection. For Disney, it was all about the Mouse and his animated friends. By the time *Steamboat Willie*, the first Mickey Mouse cartoon produced in 1928, passes into the public domain in 2024, it will have been protected for an extraordinarily long 95 years. No wonder the 1998 act has been derisively referred to as the "Mickey Mouse Protection Act".

Almost as soon as SBCTEA passed the challenges began. Stanford law professor Lawrence Lessig was among the most vocal, certain Congress had extended copyright protection well beyond the Constitution's original intent. Lessig argued Disney had actually worked against its own interests. At a 2002 presentation held in Austin, Texas, Lessig repeatedly flashed images of an "imprisoned rodent" on video screens.

Lessig was already asserting the need for an even more drastic overhaul than the last, admonishing, "There will be nobody who can do what Disney did, ever again." He continued, "If copyright is perpetual and there are perpetual copyright controls, the creative process dramatically decreases."**6**

Lessig, no fan of corporations like Disney, considered it "particularly galling" to have portrayed themselves as the noble protectors "of the artists whose work they distribute."7 Artists actually benefit very little in comparison to massive corporate profits.

Indeed, in 2003 major entertainment corporations scored a significant victory as the Supreme Court upheld the 1998 act. Mickey would not be "freed" for some time to come. As it stands Disney may yet be able to prevent the liberation of their most famous animated character.

Trademark laws may well be the vehicle since these differ from copyright laws which only prevent works of artistic expression from being copied. Think about it. For all intents and purposes Mickey Mouse is Disney and Disney is Mickey Mouse. The two are synonymous as the character is predominantly used in terms of corporate identification.

In a thought-provoking article written in 2014, Stephen Carlisle, Copyright Officer of Nova Southeastern University (Florida), put forth this question: "Mickey's Headed to the Public Domain! But Will He Go Quietly?":

*Given an open invitation like that, Disney executives would be foolish not to run with it . . . Leaving nothing to chance, Disney has also obtained 19 different trademark registrations for the words "Mickey Mouse," including live action and animated televisions shows, cartoon strips, comic books, theme parks, and computer games. Disney also has trademark registrations for Mickey's visual appearance for animated and live action motion picture films.***8**

According to Carlisle, Disney is like to face another set of challenges with Winnie the Pooh. Walt Disney did not create this character, although Disney has obtained trademark protection for a number of associated products. Copyrights and trademarks are complicated, significantly more so in the decades (and now, centuries) since the first law was passed in 1790.

Still, one wonders if Congress attempted another drastic modification, would it face never-before-seen public backlash? It's almost certain. Why is that?

Think about it. In 1998 Google didn't exist. The Internet has exploded in the last twenty years. Massive digitization projects, underway for some time, ensure demand remains high for readily-available access via the Internet. Since these works aren't likely to be republished in print form, digitization ensures perpetuity.

Going Forward: After the "Thaw"

The spigot has been turned on as more works of the "Roaring 20's" will continue to roll out. Renowned works of some of the most notable American authors will move into the public domain – F. Scott Fitzgerald, Virginia Woolf, Ernest Hemingway, William Faulkner, Willa Cather, Rudyard Kipling, just to name a few.

These works can now be digitized, recorded or reprinted and sold on Amazon (or any number of other sellers), all to the benefit of any enterprising person who is now free to do so without fear of being sued for copyright infringement. Want to write a sequel (or prequel) to *The Great Gatsby*? Get to work – originally published in 1925, it will move into the public domain in 2021. How about a screenplay based on Willa Cather's *Death Comes for the Archbishop* which will be copyright-free in 2023? You will be allowed to do so without first obtaining permission from publishers or heirs.

Of course, publishers and heirs will no doubt be concerned about potential bastardization (typos, modifying original intent and so on) of these renowned works. Still, generally speaking, the public will greatly benefit from widespread availability. And, we can always hope the younger generations will discover and embrace these classic works!

Classic works aside, there are potentially millions of publications and other works to be rolled out (if current law holds) in the coming years. The Internet Archive has already added hundreds of texts which were originally published in 1923.

Anyone researching World War I will begin to see more soldier diaries. This one,

originally published in 1923, is now available absolutely free at The Internet Archive: *A Sergeant's Diary in the World War: The Diary of an Enlisted Member of the 150th Field Artillery*, by Elmer Frank Straub. The book, which appears to have been republished in 2010 as a "facsimile reprint" (with potential imperfections and flawed pages), is available at Amazon for $39.16 (hardcover) or $27.16 (paperback). A "used" hardcover copy of the book is available at AbeBooks.com for $182.44 . . . Yikes!

For an author wishing to write a World War I book based on a soldier doctor's personal experiences, *A Doctor in France (1917-1919): The Diary of Harold Barclay,* is a day-by-day diary chronicling July 1, 1917 (orders to report) until January 2, 1919 (orders to return home). Of course, if you like, you may purchase a "leather bound" copy published in India (no doubt with potential flaws) for $29.73 at AbeBooks.com.

Have West Virginia ancestors? *History of West Virginia, Old and New, in One Volume, and West Virginia Biography, in Two Additional Volumes* (published in 1923) can be purchased at AbeBooks.com for $35.34 – or read/download a free digitized version at The Internet Archive.

Genealogists can look forward to any number of family history books to begin rolling out again, potentially some which have been out-of-print or otherwise unavailable for decades. One text is a history for descendants of "General Joe" Cox of Posey County, Indiana. Originally transcribed from microfilm found at the Family History Library in Salt Lake City, and brief though it may be (four pages), is packed with narrative and dates for the family of Joseph and Elizabeth Cox and their eleven children. Absolutely free and no need to scroll through microfilm!

Weightier genealogical tomes will no doubt become available. One caution, however, as these post-1922 (and for that matter, pre-1922) works are released into the public domain. If you've been a subscriber since early last year, you may have read the March 2018 article entitled "Don't Be Duped: Genealogical Fraud". Quite frankly, any number of family history books could potentially be riddled with errors if these families were victims of fraudulent "research" perpetrated by the likes of Gustav Anjou.

Looking for something unusual, unique or in one way or another "curious" works published in 1923? How about this one, a cornucopia of ornithological data related to the stomach contents of various feathered creatures (all deceased). Specifically, this United States Department of Agricultural biological survey was conducted "For the Registration of Data Concerning Stomachs, Gizzards, Crops and Gullets Sent to the Department". If such things interest you, by all means go for it:

https://archive.org/details/stomachcontentsoobeck

Forget Mickey and Pooh – let the corporate "suits" duke it out in court – but keep an eye on potential governmental intervention should said "suits" push for more protections. Enjoy the growing-once-again public domain!

I daresay there is literally something for everyone at sites like The Internet Archive, HathiTrust, Google Books and more. For search tips and strategies be sure and read this month's Family History Toolbox article.

I recently found a 1923 book now digitized for Google Books – *The Real Story of a Bootlegger*. With plans for an upcoming Prohibition article, it sounds like a great source, eh?

ESSENTIAL TOOLS FOR THE SUCCESSFUL FAMILY RESEARCHER

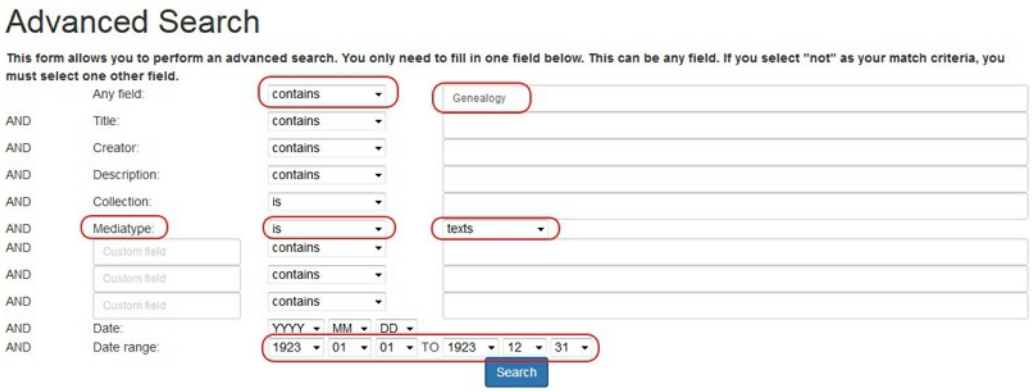
Finding 1923 Copyrighted Material

With an array of choices for finding digitized books and the recent "grand re-opening", it's important to have some search strategies in mind. Which source is the best place to search? This issue introduces part one of a series of tips and strategies for searching various sites like Internet Archive, Google Books, HathiTrust and more.

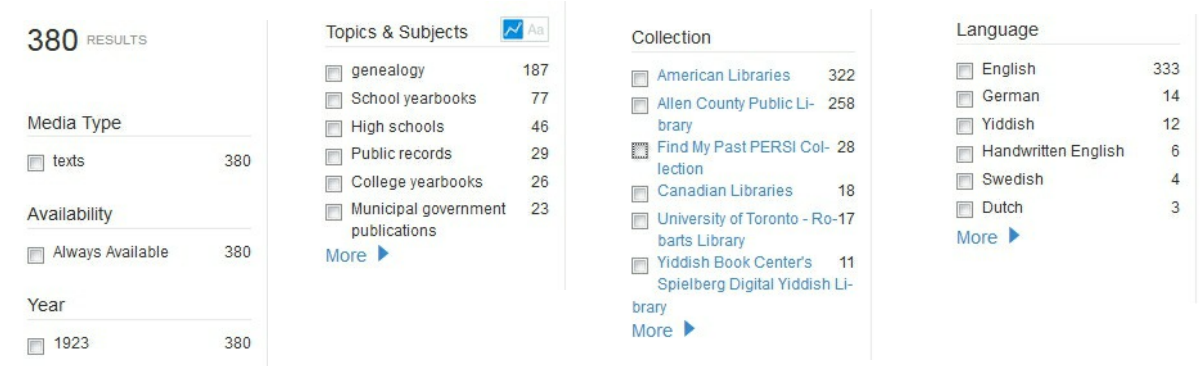
Internet Archive

By its own definition Internet Archive (https://archive.org/) "is a non-profit library of millions of free books, movies, software, music, websites, and more". Millions is no exaggeration as the collection continues to grow. In early 2019 there were already over 22,000 texts published in 1923 which had been made available for reading online or downloading.

While there are any number of search schemes you could create, here is what a basic search of texts published in 1923 which contain reference to "genealogy" looks like after selecting "Advanced Search" (parameters circled in red):



Results (screen images are split for easier viewing):



Native English speakers will notice this particular result includes texts which are published in other languages. An easy remedy (unless you can read German, for instance) is to scroll down to the bottom (last screen image) and select "English" which will narrow results again.

A good strategy now would be to narrow the results by "Topics & Subjects". A few items are listed, but there's usually considerably more to choose from (choose "More").

Select "Genealogy" and "School Yearbooks" and then "Apply Your Filters". This narrows results and you will see a number of books with "Genealogy" in the title like "The Hendrick Genealogy" which is a family history book. There are also a number of state genealogical society volumes.

If you want to only view "School Yearbooks", un-select "Genealogy". For example, scroll through the list and find the yearbook entitled "La Airosa", the 1922-1923 yearbook for Amarillo (Texas) High School.

Looking for an ancestor who went to school in Amarillo? You just might be in luck! In this yearbook student nicknames have been included. Might these also have been nicknames used by their families?

Geraldine "Jerry" Browning

Horace Gilbert "Red" Campbell

Most texts (some are Borrow only) are downloadable in various formats, including EPUB, Kindle, PDF and more. After clicking a book you will be able to open the book and read through it, but may want to have a copy for your own use. Scroll down the page to view the text's description and on the right-hand side you will see various file formats to choose from. Choose the one which bests suits your needs and the download will begin immediately.

These are simple examples of strategies for obtaining better results at Internet Archive. Take some time and experiment with search parameters (using "Advanced Search"). You might be surprised what you will find.

What if the item you want to view/download is "Borrow only"? Many books or other items can be borrowed for up to two weeks. Borrowing is easy, but you will need to set up an account (free).

At the top of the page, select "Sign In" then click the "Register for free!" link. Provide email address, screen name and password. You might want to select the preference for receiving email updates (about twice a month). Accept terms and "Get Library Card".

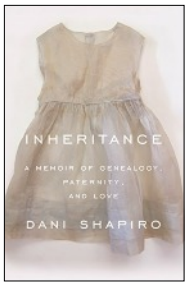
Note: not all books which are "borrow only" are "old books". Some are quite recent and Internet Archive has been given limited rights to make them available for free. For instance, *Orphan Train Rider: One Boy's True Story*, published in 1997. is available to borrow for free at Internet Archive ($8.79 for Kindle version at Amazon).

New digital content is being released continuously. If you don't find something the first time, try again later. Actually, this is good advice for any place where you perform these types of searches. Everyone is constantly adding digitized content these days. It may not be there today, but three months from now you might hit pay dirt.

Happy searching (and re-searching)!

May I Recommend . . .

Inheritance: A Memoir of Genealogy, Paternity and Love



Reviews for this book call it an "emotional detective story". That is an apt description for this memoir which highlights how our rapidly-advancing 21st century technology is now colliding with what we now view as ethically-questionable technology of the previous century.

DNA is increasingly becoming a vital tool in genealogical research. With advertisements bombarding us about the ability to discover our origins, some are finding the results disturbing. Such was the case for author Dani Shapiro who casually submitted her sample in 2016, confident the results wouldn't reveal anything she didn't already know. As far as she knew (or expected) results would show her ethnicity to be of near-100 percent Jewish ancestry, since after all her parents were both Jewish (very Jewish).

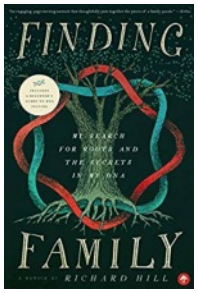
What Dani discovered rocked her world as she began to piece together the glaring facts – the father who raised her wasn't her biological father. Had her mother had an affair with another man? That alone would have been difficult to digest. Yet, what she ultimately discovered may potentially have implications for thousands of people who were conceived via artificial insemination before the scientific procedure was completely and ethical guidelines had been developed.

Already known as an accomplished memoirist, this book may be Shapiro's most heartfelt and personal. As the story unfolds she struggles to redefine herself in light of the astounding DNA results.

As the book's description so pointedly observes: "It is a book about the extraordinary moment we live in--a moment in which science and technology have outpaced not only medical ethics but also the capacities of the human heart to contend with the consequences of what we discover."

Given rapidly-advancing technology, it's a cautionary tale worthy of a thoughtful read.

Finding Family



All families have secrets. The secrets in author Richard Hill's family began to unravel in 1964 after his family doctor accidentally disclosed he had been adopted. Although initially disappointed his parents hadn't disclosed the facts to him, it really didn't matter much to him because the only parents he'd ever known were Harold and Thelma Hill. By this time Richard was preparing to attend college and the issue was soon forgotten.

Several years passed before the subject came up, and surprisingly it was his father who broached the subject. Harold began sharing details of his son's birth and informed him he had at least one other sibling. At this time Harold was hospitalized following a stroke and perhaps wanted to get things off his chest before it was too late. His admonition to Richard began a journey of discovery: "I think you should find your brother."

Harold had shared the name of his birth mother and the circumstances of Richard's birth. His mother Jackie had died tragically in a car accident not long after Richard was born. That would make it a more daunting task to uncover his birth father and find the sibling he'd never known. By this time Richard was married and starting a family of his own, and even though his work

required extensive travel the thought of finding family was intriguing.

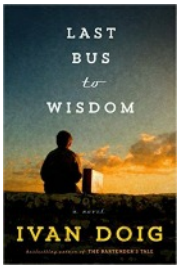
Finding Family chronicles Richard's years-long search for family he knew he had because his father had finally verified that fact. But how to find them? Where were they? Would they talk to him?

Even after finding someone to assist him with the search the trail was fraught with unexpected twists and turns, even downright deception via outright lies in government documents.

For those looking for a book which provides information about DNA testing and finding family — but without the mind-boggling scientific jargon — then this one is an excellent choice since it's written in an, easy-to-follow (and intriguing!) story format.

Richard Hill's purpose in writing the book was to encourage adoptees to find their birth families. Yet, it also gives the reader a glimpse into the power of genetic genealogy testing. As the technology advances so will our ability to learn more about those to whom we are related.

Last Bus to Wisdom



When Ivan Doig passed away in 2015 he left behind a stellar body of literary work, much of it inspired by his beloved home state of Montana. If you've never read any of his books, do yourself a favor and find them. You won't be disappointed.

This book is a coming-of-age book centered on eleven year-old Donal Cameron whose parents were tragically killed in an automobile accident. Donal's grandmother is his guardian and together they've made a life on a Montana sheep ranch where she works as a cook. Donal's world is rocked when Gram requires surgery and must send him away to Wisconsin to stay with her sister and her husband.

She places him on the "dog bus" and sends him off to an uncertain world. The bus ride across the prairies is just the beginning of his adventures, however. On his own, Donal must fend for himself until he reaches Wisconsin. Donal is fond of Gram, but his Aunt Kate is another story altogether – the two simply do not get along.

Donal befriends her husband Herman (Herman the German) who barely tolerates Kate himself. It's a constant clash of wills, and when Kate decides it just won't work out, Donal and Herman set out on an adventure of their own – oh the places they will go!

The book is reminiscent of Doig's final trilogy (*The Whistling Season*, *Work Song*, and *Sweet Thunder*) with a full cast of characters – some serious, some quirky, but all part of a sweet story about growing up without parents and the uncertainty as to whether Gram will be around much longer to care for Donal.

Without giving too much more of the story away, suffice it to say the book has a satisfying ending, but again with a touch of sadness. Alas, there won't be more from this great author. R.I.P. Ivan Doig (1939-2015).

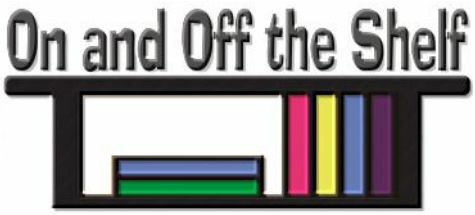
Confederado do Norte

Anyone wanting to know more about Confederados will find this an interesting read. Although a work of historical fiction, many passages and story lines mirror accounts of actual people, Southerners or Confederados as they came to be known,

who fled the United States to exotic places like Brazil.

Mary Catherine McDonald and her family leave their home in Georgia, hoping for a fresh start. Instead, what they experienced was perhaps more heartbreaking than life under Reconstruction would ever have been.

Linda Bennett Pennell has written a compelling, coming-of-age story built around elements of uncertainty, adventure and romance for a young girl who loses everything, yet manages to adapt and survive. Amazon Kindle Unlimited members may borrow it for free.



Read, Reading, Planning to Read (look for reviews in coming issues):

She Has Her Mother's Laugh: The Powers, Perversions and Potential of Heredity, by Carl Zimmer

The Poison Squad, by Deborah Blum

Blood and Ivy: The 1849 Murder That Scandalized Harvard, by Paul Collins

Mr. President, How Long Must We Wait: Alice Paul, Woodrow Wilson, and the Fight for the Right to Vote, by Tina Cassidy

The Fearless Benjamin Lay: The Quaker Dwarf Who Became the First Revolutionary Abolitionist, by Marcus Rediker

Learning to See: A Novel of Dorothea Lange, the Woman Who Revealed the Real America, by Elise Hooper

The Trial of Lizzie Borden, by Cara Robertson

Curious Kin

by Sharon Hall

I often run across some of the most unusual names while researching either my own family or a client's. I have to say, though, I don't think I've ever seen a set of children named so "uniquely" or "curiously".

They were all kin, as in related (brothers), but were also all Kin___. It reminded me of the *Newhart* television series shtick: "Hi, I'm Larry, and this is my brother, Darryl, and my other brother, Darryl."

For this particular family the shtick might have gone something like this: "Hi, I'm Kin, and this is my other brother, Kin, and my other brother, Kin, and my other brother, Kin, and my other brother, Kin." Perhaps I should explain how I came across this unusual set of names.

I was recently researching a DNA match I came across at MyHeritage. While I didn't originally test through MyHeritage, I had taken my raw DNA (through Ancestry.com) and uploaded it to MyHeritage to see the matches which might might pop up. I had done the same thing by uploading my DNA to FamilyTreeDNA. In the DNA world, as the saying goes, the more ponds you can fish in the better.

It seems the majority of my matches are 3rd to 5th cousins (or even more distant), although occasionally a second cousin match will pop up. Honestly, right now I'm looking for 1st, 2nd and 3rd cousins matches – anything farther out would take too much time and effort. Thus, I often just glance at the "3rd to 5th Cousin" matches. However, I

had received a 1st cousin once removed match and was curious to see who it was. I recognized the name, although I don't believe I've ever met him in person.

I started scrolling through some recent matches (most were 3rd to 5th cousins). I kept scrolling until one somewhat startling match jarred my memory a bit. In preparation for watching the new season of *Finding Your Roots* with Dr. Henry Louis Gates, Jr., I had recently been watching some old episodes. I had made a mental note of it at the time, but hadn't followed up (and, of course, forgot about it!).

This particular 2017 episode featured the ancestry of Phillip Calvin McGraw, aka Dr. Phil. His grandmother's surname was Strickland. I have three Strickland lines in my family – two from my father's side (different branches) and one from my mother's side, although the name is "Stricklin" which I believe may be a spelling variation. What jarred my memory was the MyHeritage match of someone named "Phillip McGraw" in his 60's (Dr. Phil is 68) and his tree was private. Hmm.

So, I started looking around to see if I could find Dr. Phil's tree. I discovered a portion of it on someone else's tree. The last Strickland on this particular tree was Matthew Payton Strickland, born in Pickens County, Alabama. I discovered his father's name was Kinyard and kept searching back until I came to Abel Strickland and his wife Nancy, parents of at least five male children, who were named thusly:

- Kindred (1788)
- Kinsburd (or Kinsbird) (1790)
- Kinsmon (1792)
- Kinnel (or Kinuel) (ca. 1793)
- Kinyard (ca. 1795)

Along the way I discovered another "Kin" – Kinchen Strickland. There must be a story about all these "Kin" Strickland names, but this Strickland kin hasn't uncovered it as of yet.

Speaking of "curious kin", here are a few more I've run across over the years.

The "Ocean Sisters" of Johnson County, Tennessee

Andrew Garfield Shoun and Elizabeth Powell married in 1817 and began raising a family in 1818 with the birth of their first child Andrew. Then came George Hamilton (1822), Rachel Catherine (1823), Isaac Harvey (1825) and Joseph Nelson (1827). In 1829 their first "Ocean" daughter, Elizabeth Atlantic Ocean, was born, followed by Mary and another "Ocean" daughter, Barbary Pacific Ocean, in 1834. They rounded out their family with Elva Olivene (1836) and Frances Eve (1838).

Most of their children had "normal" names like Andrew, George and Mary, but for some reason they blessed two of their daughters with middle names of the Atlantic and Pacific Oceans. Elizabeth was obviously named after her mother. Barbary, according to will records, appears to have been a family name (her grandmother was named either Barbara or Barbary).

<u>Elizabeth Atlantic Ocean Shoun</u>

Elizabeth Atlantic Ocean Shoun was born on April 8, 1829 in Johnson County, Tennessee. In 1850 she was still residing with her parents and siblings at the age of twenty-one. She married Isaac Rambo later that decade on December 7, 1856; he was twenty-three and she twenty-seven. Their names appeared on their marriage license, dated December 5, as Isaac Rambow and Atlantic Shown.

Census records indicate that Isaac and Atlantic never had children. However, her

nieces and nephews called Atlantic "Aunt Tackie" – perhaps "Aunt Tackie" being easier to pronounce than "Atlantic". Although they had no children of their own, their lives later became intertwined with Pacific and her family.

Barbary Pacific Ocean Shoun

Barbary Pacific Ocean Shoun was born on May 12, 1834 in Johnson County. In 1850, she and Atlantic were enumerated with their full names on that year's census. At the age of nineteen, Pacific married John Monroe "Roe" Gentry on December 11, 1853. Her name appeared as "Pecific O. Shown" on their marriage license. So, apparently the sisters went by their "ocean names". To her nieces and nephews she was known as "Aunt Siffie" – again presuming "Aunt Siffie" was easier to pronounced than "Pacific". (In actuality, adults have trouble pronouncing it as well!)

On March 19, 1854, Isaac Lafayette Gentry was born. He would go by the nickname "Fate". Another son, Robert Phillip, was born on January 2, 1856, followed by Thomas who was born in 1859. Thomas was enumerated as "Thomas A.R.N. Gentry" for the 1860 census, and since no other record of him seems to exist, it is presumed he died as a young child. Pacific was enumerated as "Barbara P.O."

Pacific's life took an unfortunate turn when John, presumably called to serve in the Civil War, never returned. According to family history she also suffered a paralyzing stroke, although it is unclear exactly when that occurred. Her sons Isaac and Robert were then raised by their Aunt Tackie. Family historians also believe that Atlantic cared for Pacific, and while Isaac and Atlantic went into town on Saturdays their gardener would rape Pacific. The man was run out of town, yet supposedly Pacific became pregnant and had another son, but the gardener was forced to take him to raise.[1]

Whether or not the story is true, for some reason Pacific wasn't enumerated in the 1870 census with her children Isaac and Robert who were living with Isaac and Atlantic Rambo. This particular record was somewhat difficult to locate because the person who transcribed the record listed Isaac and Atlantic as "Isaac and Atlantie Rennels" – although the actual record clearly reads "Rambo".

However, by 1880 Isaac Gentry was married with a young family of two and Pacific was living with them. It is likely she remained with Isaac and his family for the remainder of her life. Although I found no official records, family historians believe Pacific died on October 22, 1892 and was buried in the Wilson Cemetery, the same one where Atlantic is buried, although Find-A-Grave lists only Atlantic.

Back to Atlantic. Following her husband Isaac's death in 1899 she lived with Robert Gentry and his family and was enumerated with them in 1900. Apparently Isaac Rambo had been well off because in 1910, Atlantic was enumerated at the age of eighty-two with her "own income" and two servants, N. Hamilton and Dora S. Blackburn. Nephew Lafayette (Fate) Gentry lived nearby. Elizabeth Atlantic Ocean Shoun Rambo died on April 6, 1912, just two days before her eighty-third birthday.

It would be interesting to know why Andrew and Elizabeth Shoun gave these two daughters such unusual names.

It seems to have forged a bond between them, perhaps in part because of the uniqueness of their names. Certainly, when circumstances called for it Atlantic was there for her younger sister Pacific – caring both for her and her sons, who in turn kept an eye on Aunt Tackie in her later years.

Thomas Jefferson Roach and His "Sister Wives"

I don't mean to imply "Sister Wives" (as in the TLC reality show of the same name) meant Thomas Jefferson ("T.J.") Roach was a polygamist. Quite the contrary, since according to family history Thomas was of the Baptist faith. He does, however, have a unique story.

Thomas Jefferson Roach was born on August 25, 1825 in Orange County, Virginia to parents William and Tincey (Row) Roach. On January 27, 1845 T.J. married Alice Farish in Caroline County, Virginia. Census records indicate their first child, Eugenia, was born around 1849.

By 1860 the family had migrated from Virginia to Cherokee County, Texas. Their oldest son, George W., was nine years old that year and had been born in Virginia. The next child, John, was six years old and had been born in Texas. Presumably the family migrated sometime between 1851 and 1854. Two more children, Robert (4) and Mary K. (six months old) were also enumerated in 1860.

According to Cherokee County history T.J. owned and operated a sawmill on Tail's Creek in Pine Town (now Maydelle). From November of 1856 to April of 1860 he was Postmaster of Pine Town, this in addition to farming. Thomas was a deacon and one of the charter members of The Pleasant Grove Missionary Baptist Church, organized on September 16, 1854.[2] In 1855 he had been named a squire which meant he could perform wedding ceremonies.

There is no official record of Alice's death, although family historians believe she died around 1861 en route to Virginia, perhaps to visit her mother, Clementine, who had been widowed in 1845 when her husband, George Buckner Farish, passed away. It is presumed Alice was buried along the way in an unmarked grave, perhaps in Louisiana or Mississippi. One source, *The Tracings,*[3] indicates Alice appears on a Mortality Schedule with a death date of April 1860. This is curious, however, since she was enumerated on July 23 in Cherokee County for the 1860 census. If true, it seems more likely the family departed sometime after the census date, especially if she died in 1861.

Alice was decidedly unhappy with life in Texas. T.J., like so many others, had come to Texas to seek his fortune, but Alice longed to go home to Virginia. In letters back home she wrote of her contempt for the life T.J. had chosen for his family:

I would rather be poor in Virginia than rich in Texas. . . Texas is a poor man's country. You have no idea how many poor people there are in Texas. It takes all they have to bring them here and many of them would leave but they have not the means to leave with. They are moving constantly from one portion of the State to another. You rarely see a family but that they are willing to move . . . Texas is a rough country to live in. We have a plenty coarse diet, but I can tell you that dainties are a rarity. Mrs. Herndon says she had to eat so much corn bread that it scratches her throat. She likes Texas as bad as I do. They use the great-quantity of coffee, tobacco and snuff. You seldom meet with a lady young or old but that they use snuff and tobacco. Mr. Roach married a couple last Thursday and he said there as 150 persons and nearly every lady after supper had a pipe in her mouth. Would you not think they were well smoked?[4]

Perhaps the journey, which would cost $700 round-trip, was a compromise of sorts between the reluctant wife and her fortune-seeking husband.

Although no official records appear to exist, family historians estimate T.J. married Sallie, his first "sister wife" in 1862. Sallie

was Alice's younger sister. In 1860, Sallie was still single and living with Clementine in Caroline County, Virginia. Sallie was available and Thomas needed a wife to raise his children. The couple returned to Texas, although it's unclear when that occurred. Of note, Alice and T.J.'s youngest child Mary (Mollie) was left with family in Virginia, never to be reunited with her father and siblings in Texas. Mollie apparently never married either.

Sallie died not long after their return from Virginia. Thomas served during the Civil War, joining the Texas 35th Cavalry, Company F, in September 1863. As a 1st Sergeant he served under the command of Captain John T. Wiggins of Rusk. Where the children lived and were cared for during this period of time is unknown, although some records indicate that other members of the Farish family had at some point migrated to Texas.

On February 14, 1865, T.J. married his third wife, Mary Josephine Broome, in Cherokee County. *The Tracings* notes two children born early in their marriage did not survive. Around 1869 their son Eugene was born and in 1871 another son, Gus Wallace, was born.

Thomas also operated a steam-powered sawmill south of Pine Town. When the county decided to build their own transportation company (a horse-drawn tramway) after being by-passed the Houston and Great Northern Railroad Company, and in exchange for company stock, Thomas agreed to provide crossties and narrow wooden rails. It was, without a doubt, a rather risky investment.**5**

While the railroad met with much excitement in Rusk at its opening on April 29, 1875, it had been constructed on a shoestring budget, utilizing prison labor from the Texas State Penitentiary, and already on shaky ground financially. T.J.'s contributions didn't fare well, either, as it soon became apparent his rails proved woefully inadequate. Without infusions of stockholder capital, it all went bust in 1879 when the railroad was auctioned off for the grand total of $90.50. T.J. was never paid for the lumber provided.

Nevertheless, T.J. continued to lumber area forests, perhaps supplying wood to his father-in-law Cicero Broome, Josephine's father. Cicero, born in North Carolina, left Alabama for Texas in 1848. For some time Cicero had been either a "gin maker" (1850 census) or in the milling business. He also owned a furniture factory, manufacturing "primitive wooden cotton gins and mill wheels".**6** [Editor's Note: Thanks to a new subscriber, I've been working on an "adventure in research" project to discover Cicero's origins (which, by all appearances, seem a bit mysterious).]

While there is no official record of Josephine's death, on March 23, 1876 T.J. was wed a fourth time to Elizabeth Bobbitt. Family historians report Elizabeth and her twins died in childbirth, presumably in 1877.

On November 14, 1877 T.J. married his second "sister wife", Kate Bobbitt, who was Elizabeth's half-sister by their father Anthony T.S. Bobbitt. According to census records, Kate would have been at least twenty-five years younger than T.J. By the time they were married most of Thomas' children were grown – only Eugene and Wallace, children from his marriage to Josephine, remained with their father.

To their family, T.J. and Kate added three more children: Nannie (November 1880), Thomas Jefferson (December 1884) and James (December 1886). T.J. continued to farm in Cherokee County and in 1881 took on the additional duties of Notary Public, which according to *Cherokee County History*, Texas Governor Oran M. Roberts had appointed him to that office.

Although it isn't known for sure which wife this is, given the number of short-lived marriages, this may be a picture of T.J. and Kate.

Thomas Jefferson Roach died on February 14, 1891 in Maydelle, Cherokee County, Texas. He was buried in what is today known as the Roach Cemetery in Maydelle. His sons Eugene and Gus Wallace are buried there, as are their wives and two of his grandchildren. Kate, the only one of Thomas' wives to outlive him, married John T. Jones on December 17, 1900 and died in Rusk in 1919.

The life and times of Thomas Jefferson Roach and his wives demonstrate quite clearly the dangers faced by pioneers who left the comfort of their settled homes in places like Virginia, the Carolinas, Alabama, and Mississippi and joined hundreds of others who had "gone to Texas" during the great migration which took place in the nineteenth century.

With very few doctors to tend the sick and mothers in childbirth, many deaths occurred, leaving widows and widowers and motherless, fatherless children behind. And, with all the siblings, half-siblings, cousin marriages and the like, it's easy to see why serious genealogical research is not for the faint of heart! Here's yet another challenging name.

Bigger Head (1812-1912)

I came across this most unusual family name while researching a friend's Head family line. I found multiple instances of a "Bigger" forename or middle name. First of all, I've never heard of anyone with the first name of "Bigger" (have you?) so that alone was intriguing (and near giggle-worthy). Where did that come from?

This particular Bigger Head was born in Highland County, Ohio on October 12, 1812 to parents William and Mary (Elder) Head. According to Head family genealogy, William and Mary were cousins and together had fourteen children, ten of them living to adulthood. Bigger was the second son named Bigger, following the death of the first at the age of eight months in 1807. The name was used twice in this family. Did it have a special significance?

I soon discovered the name began to be used when William Head married his second wife, Anne Bigger, daughter of Colonel John Bigger. So perhaps to honor the "Bigger" surname they decided to name their son (born in 1698) "Bigger Head". He was the fourth great-grandfather of Bigger Head born in 1812 (if calculations are correct). What became confusing to research (as you might imagine) is sometimes brothers would name one of their sons "Bigger" meaning there could be multiple "Bigger" boys around grandpa and grandma's table ("Hi, I'm Bigger and this is my cousin Bigger, and my other cousin Bigger")!

William was the son of Bigger Head, born in Maryland in 1754 and a Revolutionary War veteran, who later removed to Pennsylvania and then migrated to Washington County, Kentucky around 1795. William married Mary Elder in Kentucky, married and then removed to Ohio. Bigger was one of four of their children who later migrated to McDonough County, Illinois. Bigger married Mary Lucas in Ohio on June 28, 1835. To their marriage were born eleven children: Harriet, Lucretia Ellen, James, Mary Catherine, Maria, Renick Richard S., Jennie, Columbia Alta, Augustus Newton, John and Hettie. At the time *The History of McDonough County, Illinois* was published in 1885, five of their children were deceased.7

After first settling in McDonough County, Bigger owned three quarter sections and

retained 340 acres when he and his family moved to the Mound Township in 1876 where he purchased an additional 160 acres. In 1885, Renick, Maria and Hettie still lived in McDonough County and Bigger owned a total of 504 acres.

A school was established on the edge of the Mound Township in 1837. During the winter of 1838, Bigger taught at the school that season. Bigger and Mary joined the Methodist Episcopal Church around 1840 and were faithful members. Bigger served in various offices in the church for over forty years. It appears Bigger also had a "big heart":

*Mr. Head has assisted largely in building six churches. He is always a liberal subscriber to things of that character. He hewed the timber for three churches, while a resident of Ohio. He has always been ready to extend a helping hand to those in need, and when any one has the misfortune to lose his home by fire or other similar incident, Mr. Head always gives liberally.***8**

In 1860 the value of Bigger's real estate was $25,000. so he was no doubt prosperous. He had been blessed and gave generously to help others. It is unusual to be able to view 1890 census records as most were destroyed by fire. However, a fragment of that year's census remains for Bigger and Mary. Bigger's sister, Mariah who was 74 years old at the time, was either visiting or living with them.

By 1900 Bigger had retired from farming, living in the village of Bardolph which was located in the Macomb township. At the time of that year's census he was 87 years old and Mary was 84. Their daughter Hettie and her family were enumerated in the same household, either living there or visiting. On February 17, 1905, Mary died just five months and ten days before her ninetieth birthday.

In 1910 Bigger was living with his daughter Marie Winter and son-in-law Wilson in Bardolph. Bigger lived another two years, passing way at the age of 99, four months and eleven days short of his one hundredth birthday. He is buried in the Bardolph Cemetery alongside Mary.

Here are some other "Bigger" fellows (and one gal) I came across in the Head genealogy:

- Nancy Bigger Head
- Bigger John Head
- Thomas Bigger Head
- Benjamin Bigger Head
- William Bigger Head
- Bigger Head nicknamed "Round Head"
- One of the Bigger Heads married Lucy Sarah Livers (another unusual surname!)
- Ireland Head (not Bigger, but nonetheless an interesting first name)

Bigger Head of McDonough County, Illinois appears to be one of the last of a long line with that name, however. Today there are but three "Bigger Head" entries at Find-A-Grave.

You just know one thing leads to another while researching a name like this. I came across some other interesting names with the "Bigger" surname, such as Lycurgus Dinsmore Bigger.

Curious kin, indeed.

The "Texas Troubles": Blaming it on a match?

by Sharon Hall

The April 2018 issue of *Digging History Magazine* focused on the Civil War as every article (even the book reviews) was related in some way or another to the bloody conflict which divided a great nation. The Appalachian Histories & Mysteries column by Kalen Martin-Gross highlighted the enigmatic position John Brown holds in history – was he a traitor or a martyr? His actions and any number of events which took place long before Fort Sumter – in hotspots like Kansas and Missouri – could have served as flashpoints.

A series of events occurred in Texas in 1860 which have come to be known colloquially as the "Texas Troubles". I came across this heretofore-unknown-to-me event after seeing a reference to "the 1860 crisis" in Cherokee County, Texas while researching another story for this issue (Curious Kin: Thomas Jefferson Roach and His "Sister Wives", page 28). The reference is an account of Cherokee County history which mentioned several people leaving on account of this crisis. What exactly was it?

A search of "1860 crisis in Texas" seemed to point to an insurrection of sorts – a supposed "slave panic" which arose and spread after a series of fires destroyed most of downtown Dallas – small at the time, but "a flourishing and beautiful place"[1] – as well half of Denton's town square and one store in Pilot Point. On July 8 these three fires, all of mysterious origins, touched off alarm throughout not only Texas, but the entire South.

On that day it was hotter than Hades, with temperatures perhaps as high as 105-110. Thus, the first round of finger-pointing was directed at combustion, a chemical reaction which results in heat and light in the form of a flame. Was it spontaneous combustion? Whatever it was had moved quickly and destructively. Every sort of business was affected – from the Dallas Hotel to drug and grocery stores, barber shops, law offices and more.

In a letter sent to the *Galveston News* and dated July 8, the fire was said to have started at the Peak Brothers drug store. Two hours later the business section was "a mass of smouldering ruins."[2] Dr. Charles R. Pryor, a physician, and at the time also editor of the *Dallas Herald*, lost everything.

Around 1854 Charles Pryor came to Texas after receiving a medical degree from the University of Virginia. His older brother Samuel Burwell Pryor, also a physician, had come to the new town of Dallas in 1846 and quickly became immersed in civic affairs, perhaps out of necessity since the area was newly settled by folks who hadn't much money (if any at all) to afford a physician's services.[3] In 1856 Dallas held its first mayoral election. Samuel had thrown his hat in the ring and won 58-34.

The two brothers opened a medical office in 1855, and in 1859 Charles also became bi-vocational when *Herald* editor James K. Latimer passed away. He left the position in 1861, but not before setting off waves of panic across the entire South immediately following the Dallas fire. Granted, Charles Pryor was distraught at his losses. Still, it appears he took considerable editorial license in firing off letters to editors of the Austin *State Gazette*,

Bonham *Era* and the Houston *Telegraph and Texas Register* in the days following the mysterious conflagration.

His initial letters to these publications the day following the fire briefly described what had occurred:

A dreadful calamity has befallen us, our town is burned to ashes; every hotel, every business house, law office, physician's office, Herald office with all its material – everything gone. We have already ordered a new press and material, and in less than six weeks the Herald will be out again. The Court House is the only building left standing on the square, except on the south-east corner. The first originated in Peaks new and elegant establishment, and spread with appaling [sic] rapidity. The fire originated only two doors above the Herald office. Hence we could save nothing but our books and subscription list. I have not even saved my clothing. I will write you more fully by next mail. It is not known whether it was the work of an incendiary or not.

*Loss estimated at over $300,000.*4

Incendiary – interesting choice of words – since his next communiqué was decidedly inflammatory. The story would continue to develop and spread rapidly as reports of other fires in neighboring counties were added to the narrative.

It may have been a stretch of the truth, however, with repeated use of the phrase "on the same day and hour". Fires had not only struck Denton and Pilot Point, but fire had consumed the town of Milford in Ellis County, while the county seat of Waxahachie had escaped ruin by quickly extinguishing flames.

The San Antonio *Ledger and Texan* printed an "extra" on July 22 regarding the "latest conflagrations", breathlessly alleging (in the boldest of terms and typography):

TERRIBLE DEVELOPMENTS – AN ABOLITION CONSPIRACY – THE SIXTH DAY OF AUGUST SET FOR A GENERAL SLAUGHTER OF THE WHITES – THE PEOPLE OF DALLAS SLEEPING WITH THEIR ARMS IN HAND – MAY CALL ON THE LOWER COUNTIES FOR ASSISTANCE.**5**

San Antonio residents were already alarmed and *Ledger and Texan* editors were advising vigilance in the form of the old adage: "To be forewarned is to be forearmed."**6**

Charles Pryor had provided considerable details in his letter dated July 16 to John F. Marshall (editor of the *State Gazette* and also the chairman of the Texas Democratic party), L.C. DeLisle (editor of the Bonham *Era*) and Edward Hopkins Cushing (editor of the Houston *Telegraph and Texas Register*) as other incidences in the vicinity were reported in the days following the first series of fires:

I will give you some of the facts connected with the burning of Dallas, and the deep laid scheme of villainy to devastate the whole of Northern Texas. The town of Dallas was fired on Sunday the 8th inst., Between one and two o'clock P.M. The day was very hot, the thermometer standing at 106 F., In the shade, and a high South west wind blowing. The fire was first discovered in front of Peak's new drug store on the west side of the square, and continued to spread very rapidly until the whole north side was consumed, and one half of the east side; together with all the buildings on Main street east of the square, and west of the Crutchfield House. . .

On Monday, the next day, the house of John J. Eakens, one mile from town was fired. On Wednesday, the handsome establishment of E.P. Nicholson, was fired, but discovered in time to arrest the flames. On Thursday, the stables, out-houses, grain and oats belonging to Crill Miller, Esq., 8 miles from Dallas were destroyed by fire. All of these were so plainly the work of an

incendiary, that suspicions were excited, and several white men and negroes were arrested and underwent an examination. This led to the detection of a most diabolical plot to destroy the country. The scheme was laid by a master mind, and conceived with infernal ingenuity. It was determined by certain abolition preachers who were expelled from the country last year, to devastate with fire and assassination, the whole of Northern Texas, and when the country was reduced to a helpless condition, a general revolt of the slaves aided by white men from the North, and many in our midst, was to come off on the day of Election in August. The object of firing the town of Dallas, was to destroy the arms of the Artillery Company, ammunition and provision known to be collected here; to destroy the stores throughout the country containing powder and lead – burn the grain and thus reduce this portion of the country to a state of utter helplessness.[6]

The preachers Pryor referenced were two abolitionist Methodist ministers who the year prior had openly confessed their opposition to slavery. In the South open admissions like theirs were not tolerated.

Reverend Anthony Bewley, a Methodist minister, had earlier taken issue with slavery in Missouri. He and other abolitionist Methodists who split from their Conference formed the Missouri Conference of the Northern Church. By 1858, after serving in Missouri, northern Arkansas and Texas, Bewley migrated to Johnson County, Texas to establish a mission sixteen miles south of Fort Worth.

His abolitionist views, considered somewhat mild in Missouri, were outright inflammatory to Texans. Just days before the mysterious fires began occurring news of a letter written on July 3 and addressed to Reverend William Bewley from abolitionist William H. Bailey became publicized. In regards to Charles Pryor's claims this was no doubt further evidence of abolitionist vigilantism in Texas.

Bewley, forced to flee for his life in mid-July, was apprehended by a Texas posse near Cassville, Missouri on September 3, 1860. Upon their return to Fort Worth ten days later, Bewley was turned over to a rabid lynch mob. In a move meant to further humiliate, his body hung until the next day before being buried in a shallow grave. Three weeks later, in an unfathomable act of desecration, his "bones were unearthed, stripped of their remaining flesh, and placed on top of Ephraim Daggett's storehouse, where children made a habit of playing with them."7 Understandably, Northern Methodists abandoned their mission in Texas.

Pryor continued:

Arms have been discovered in the possession of the negroes, and the whole plot revealed, for a general insurrection and civil war at the August election. I write in haste; we sleep upon our arms, and the whole country is most deeply excited. Many whites are implicated, whose names are not yet made public. Blunt and McKinney, the abolition preachers, were expected here at the head of a large force at that time. You had better issue extras containing these facts, and warn the country of the dangers that threaten it. We are expecting the worst and do not know what an hour may bring forth. Do the best you can for us. We have no printing press and can do nothing in that line. We may have to call on the lower counties for assistance – no one can tell. All is confusion, excitement and distrust. I will write again. There never were such times before.

Yours in haste,

CHAS. R. PRYOR[8]

Haste – another interesting choice of a word – because Charles Pryor was not only hastily firing off one letter after another, which were in turn headed straight for the editorial columns of newspapers across Texas and the South, in retrospect it's evident he made a much too hasty assessment of what had actually occurred, resulting in the needless death of people of both races.

By the end of July vigilante committees had been established all over North and East Texas to ferret out alleged conspirators. Established law enforcement looked the other way while the innocent were harangued, harassed and hanged, despite not one iota of proof anyone was actually guilty of arson or insurrection. Later reports suggest perhaps closer to one hundred people died.

All had blown over around the time of Anthony Bewley's hanging, but considerable damage had been done with implications throughout the South as newspapers began referring to the incident as the "Texas Troubles".

By mid-August the New Orleans *Times-Picayune* assessed the situation and concluded (in a sort of conflicted way), of course, "exaggerations and false rumors" had been made. Still, such a large tract of Texas – from Indian Territory in the north and south to the Gulf of Mexico – had been destroyed and the newspaper still believed the so-called "black confessions" were valid, yet there seemed to be no "concerted plot among the negroes for permanent insurrection against the authority of the whites."**9** Was the newspaper hedging its "conclusions"? New Orleans was, after all, a *very* Southern locale.

Cooler heads initially suggested the fires had been caused in part by the widespread excessive heat. There was an incendiary at work, but not the malevolent human kind. Some officials actually suggested from the beginning the likely source of all these mysterious fires was due to the excessive heat causing a new type of match recently introduced in stores to spontaneously combust.

Denton residents accepted this theory as fact after Sheriff C.A. Williams conducted a thorough investigation. The fires occurred on a Sunday and though stores were usually open (there were no Sunday "blue laws" at the time) that particular day they were closed for a special religious meeting.

With stores locked tight and no signs of forced entry to ignite some sort of incendiary device, Williams deduced something inside the store(s) had caused the fire. His theory was bolstered when news that much the same had occurred in the nearby town of Lebanon. The Lebanon fire had actually occurred in front of witnesses as a storefront display of the new so-called "prairie matches" spontaneously erupted in hard-to-extinguish flames.

Several years later Williams returned to Denton and reflected:

*The fire of July 8, 1860 . . . was caused by the igniting of what was then known as the "prairie" match. It was indeed a peculiar match, and whether they were dipped in some unctuous or resinous substance, or some peculiar chemical unknown to other matches, I do not know, but I do know that the match when ignited was very hard to be extinguished. The wind had but little or no effect upon it. This was the reason the name "prairie" match was given it. Another peculiarity about the match was that it was easily ignited during hot weather.***10**

To C.A. Williams it had clearly been a case of a match coated with some "unctuous" substance which had self-ignited, causing multiple fires. The fact these fires occurred on the same day is, of course, a curiosity, but the matches were likely in stock in stores

across the area and it was excessively hot throughout the region that at the time.

It was likely the cause of the Dallas fire (Williams was sure of it), given that it struck the downtown business district, but pro-secessionist Charles Pryor – for whatever reason – decided to make the mysterious fires seem more sinister. Some of those who agreed with Williams' theory regarding the new-fangled match were accused of being abolitionist sympathizers. Perhaps some were even hanged for their alternate theories.

Historians still argue whether "prairie" matches were indeed the cause of the mysterious fires, yet one thing seems certain. At that particular point in American history the Charles Pryor narrative – true or "fake news" – swept across the South, referred to as the "Texas Troubles" (no mention of "prairie matches").

Texas had seen a mass migration of settlers from other Southern states like Tennessee, Alabama, Georgia and Mississippi (all slaves states). How could it not become a rallying cry across the South? After the vigilantism had run its course the presidential election was on the horizon. What better way to whip up pro-secessionist sentiment against Republican Abraham Lincoln than to blame him for the "Texas Troubles"?

When Texas joined the Union, Sam Houston served as a U.S. Senator in Washington from 1848 to 1859, when he became governor of the state. Throughout his Senate career he was ardently pro-Union, despite the fact he possessed slaves of his own.

As a gubernatorial candidate he had remained pro-Union. In fact, Houston had come close to becoming the 1860 presidential nominee for the National Union party. Following Lincoln's election he gave a speech, in part expressing his views on Pryor's shenanigans and the nation's state of affairs:

In regard to the recent raid and incendiarism in Texas, he said it had been exaggerated and misrepresented by the letter of "that man, Pryor, of Dallas" . . . He said that this Pryor letter had injured and was greatly injuring our country; its effects were being felt everywhere; our lands depreciating in value; persons from other States were afraid to immigrate here, and a great many were leaving our State. Only the other day a gentleman from Northern Texas had told him that on his way he had met two hundred wagons, with at least five persons in each wagon, on their way to Arkansas and Kansas – some leaving for fear their negroes would be falsely accused of incendiarism and hung, and others for fear they, as not being slaveholders, might be charged with being abolitionists and lynched.[11]

Thus, my curiosity has been assuaged – no wonder residents of Cherokee County were leaving during the "1860 crisis"!

Sam Houston remained pro-Union, yet reluctantly saw the handwriting on the wall. It was abundantly clear his constituents were demanding secession.

Rather than bring his beloved Texas to the brink of its own civil war, he acquiesced and allowed the state to secede. His refusal to sign a Confederate oath of loyalty cost him the governorship. He died in Huntsville on July 26, 1863.

DID YOU KNOW?

by Sharon Hall

Speaking of Matches . . .

In a back-handed sort of way, here's a bit of history related to a certain kind of match, which led to the usage of a certain incendiary political term in the years leading up to the Civil War. Given today's political climate it makes me think, "is it locofoco time yet?" Read on.

I came across the term "locofoco" (or "loco-foco") during the last presidential election cycle, and curious as I tend to be, set out to discover if there was anything historically significant which might be worthy of an article. My first question was, "what the heck is a Locofoco?"

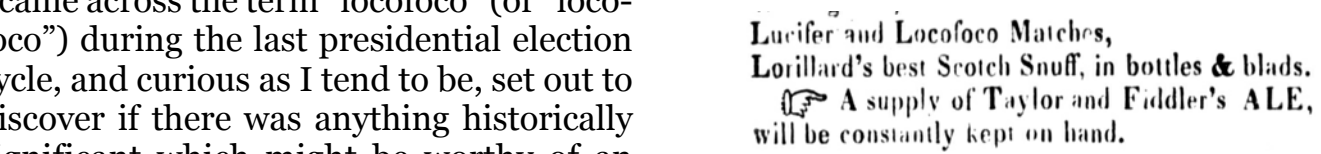
In the nineteenth century the term was connected to the Democratic Party – a name the Whig Party pinned on their opposition. The term "loco-foco" first made an appearance as a novelty item when John Marck invented a self-lighting cigar. A patent for the "self-igniting" cigar was granted on April 16, 1834, although it was never referred to as "loco-foco" in Marck's patent application or journal notices.

The cigar had a match component at its end, and according to Bartlett's Dictionary of Americanisms the term "loco-foco" was derived from the word "locomotive". Locomotive "was then rather new as applied to an engine on a railroad, and the common notion as, that it meant self-moving; hence as these cigars were self-firing, this queer name was coined."[1]

"Foco", although spelled differently, may have been the Italian word ("fuoco") for fire. The term came to be associated with a particular kind of match as well – Lucifer or locofoco matches.

According to a London newspaper, the *Pall Mall Gazette*, and quoted in San Francisco's *Pacific Rural Press*, the so-called "Lucifer match" had been invented as the "result of a happy thought."[2] Sir Isaac Holden, wearied by attempts to produce early morning lamp-lighting flame via flint rock and steel, decided to add sulphur to his experimental device.

Upon mentioning his findings at his next chemistry lecture, one student wrote his chemist father, who in turn "invented" the "lucifer match", no doubt profiting greatly from Sir Isaac Holden's "happy thought".


Lucifer and Locofoco Matches,
Lorillard's best Scotch Snuff, in bottles & blads.
☞ A supply of Taylor and Fiddler's ALE,
will be constantly kept on hand.

Newbern Spectator, December 25, 1835.

In 1835 "locofoco" was applied to the Democratic Party after a division arose amongst the party faithful when Gideon Lee was nominated as a Democratic candidate for Congress by a faction calling itself the Equal Rights Party. Lee's supporters expected opposition from New York's Tammany Hall who, of course, had their own candidates.

A ruckus ensued between the two factions and in the middle of it all the meeting hall's gas lights were extinguished. Apparently the Equal Rights Party had anticipated such a ploy to shut down the opposition and came prepared with loco-foco matches and candles. In a matter of moments the room was illuminated once again. One newspaper, reporting on the incident, referred to them as "locofocos".

The Locofocos were anti-monopolists and took a laissez-faire stance when it came to free enterprise and government oversight and control, favoring less government intervention. In 1837 the so-called Flour Riot broke out as a result of the rising cost of flour, almost doubling during the Panic

of 1837. As opponents of business monopolies, the Locofocos were in the thick of it all.

Up until the 1840 election the term appears to have been used exclusively within the Democratic Party to differentiate various factions from one another. That year, however, the Whig Party decided to pin the name on the entire Democratic Party, although their newly coined term for the opposition had nothing to do with self-igniting cigars.

Rather, the Whigs devised their own term, a derogatory one, by combining the Spanish word for crazy ("loco") and "foco" from the word "focus". In other words, the entire Democratic Party was off its rocker (derogatorily speaking). The name would stick well into the 1850s – even after the Whig Party was long gone and replaced by the Republican Party.

In 1840 Democratic President Martin Van Buren was fighting for re-election in the midst of an economic depression. The Whig Party was solidly united behind war hero William Henry Harrison – "Tippecanoe and Tyler, Too" became their rallying cry. In 1836 Van Buren was by no means a shoo-in for president. Although well known to New Yorkers, one Brooklyn newspaper believed he would "require every vote that can be had (Loco-focos and all) to secure him a bare majority!"**3**

Van Buren won in 1836, but by 1840 was overwhelming defeated by the Whig Party and William Henry Harrison, garnering only 60 electoral votes to Harrison's 234. The Democratic Party, aka the Locofocos, bounced back in 1844 and traded places again in 1848 with the Whigs. By 1854 the Whig Party was disbanded and merged into the Republican Party.

The term "locofoco" remained a politically-charged and derogatory term, but not necessarily directed entirely toward the Democratic Party. In 1859 newspapers referred to the "Locofoco press"**4** who couldn't make up its mind which candidate to support in the 1860 election, while other newspapers made reference to a "locofoco editor".**5**

Given the later derivation of the term which came to mean "crazy focus", have we now entered into a state of "locofoco" politics of our own today?

Is history repeating itself (as it's been prone to do for centuries)? Things that make you go "hmm", eh?

Nineteenth Century Genealogical Humor:

Looking for Smith

A respectable-looking old gentleman, just arrived from the Eastern States, was around town to-day trying to find a man named Smith. There are several members of the Smith family in Austin, but the old gentleman experienced some difficulty in finding the exact Smith he wanted, and we are not positive that he has found him yet. Probably possessed of the somewhat prevalent idea that boys know everything, the old gentleman accosted a boy, and, addressing him as "my son," asked him if he knew anybody in this town by the name of Smith. "Smith?" said the body. "Which Smith do you want? Let's see – there's Big Smith and Little Smith, Three-fingered Smith, Bottle-nose Smith, Cock-eye Smith, Six-toed Smith, San Joaquin Smith, Lying Smith, Mush-head Smith, Jumping Smith, Cherokee Smith, One-legged Smith, Fighting Smith, Red-headed Smith, Sugar-foot Smith, Bow-legged Smith, Squaw Smith, Drunken Smith, El Dorado Smith, Hungry Smith, and I don't know but maybe one or two more." "My son," said the old gentleman, "the Smith I am in search of possesses to his name none of the heathenish prefixes you have mentioned. His name is simply John Smith." "All them fellows is named John!" screeched the boy. (*Jackson Citizen Patriot* via *Austin* [Nevada] *Reveille*, June 2, 1876, accessed at www.genealogybank.com, on March 4, 2019, 3.)

Ways to go in days of old

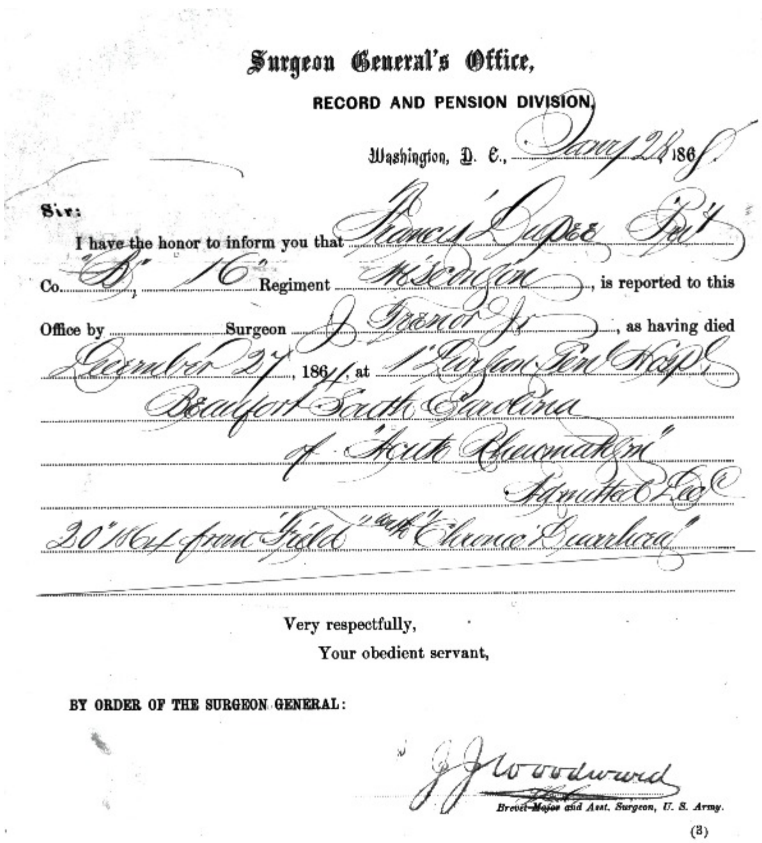
by Sharon Hall

I've been thinking about starting this column for some time. This issue seemed like an appropriate time to launch it after I recently discovered a widow's pension application for my third great grandmother, Sarah (Chadeayne) Dupee.

I knew my third great grandfather, Francis Dupee, died during the Civil War. Most accounts stated he died of measles in Beaufort, South Carolina. By August of 1865, just a few months after the war's cessation, Sarah began the process of filing for a widow's pension by obtaining records such as proof of their marriage on December 8, 1841 in Huntington, Indiana. At the time of his enlistment Francis and his family were living in Kickapoo (Vernon County), Wisconsin.

The initial application provided the information which had been provided to Sarah upon learning of his death on December 27, 1864 at the Post Hospital of Fort Beaufort, South Carolina. Cause of death: Rheumatism and Diarrhea. Because Sarah believed Francis had contracted these diseases while in the service of the United States military, she was exercising her right to ask for a widow's pension.

On January 28, 1868 an official notification of Francis' cause of death was issued (in the most flowing cursive) by the Surgeon General's Office (Records and Pension Division).



Surgeon General's Office,

RECORD AND PENSION DIVISION,

Washington, D. C., Jany 28 1868.

Sir:

I have the honor to inform you that Francis Dupee Pvt Co. B, 16th Regiment Wisconsin, is reported to this Office by Surgeon J. Trenor Jr, as having died December 27, 1864, at Post Gen Hosp Beaufort South Carolina of "Acute Rheumatism" Admitted Dec 20th 1864 from field with "Chronic Diarrhea"

Very respectfully,

Your obedient servant,

BY ORDER OF THE SURGEON GENERAL:

J J Woodward

Brevet Major and Asst. Surgeon, U. S. Army.

(3)

Francis had died on December 27, 1864 of "Acute Rheumatism" after being admitted to the Post Hospital from the field on December 20, 1864 with "Chronic Diarrhea".

What exactly is "acute rheumatism"? In my mind I had loosely associated rheumatism with arthritis perhaps due to the type known as rheumatoid arthritis. The two diseases are, however, different in the following ways:

"Rheumatism" is a very old term, connoting pain, stiffness, and limited motion of joints, because of disease arising in joints themselves or in muscles, tendons, ligaments or bones attached to them. "Arthritis" is a very specific term that denotes swelling, pain, warmth, and variable redness in a joint, with resulting loss of the ability to fully bend, straighten or rotate the joint. "Rheumatic disease" applies to structures other than merely the joints, e.g., tendons, bursas, muscles.[1]

Between 1870 and 1888 the Office of Surgeon General prepared a six-volume publication (three parts of two volumes each) entitled, *The Medical and Surgical History of the War of the Rebellion, 1861-1865.* Part II, Volume I covered diarrhea and dysentery with numerous cases accompanied by rheumatism. Without getting too descriptive scatological-wise (shall we say), here are two examples:

Case 6. Private Charles Shank, company H, 4th New York cavalry; age 54; admitted April 29, 1863. Diarrhea of seven weeks' standing, with from five to eight discharges daily. . . Ordered acetate of lead and tonics. May 1st: The diarrhea still continues. Rx. Nitrate of silver ten grains, tincture of opium twenty-five drops, water one ounce. . . [Patient later transferred to Philadelphia general hospital] still suffering from diarrhea . . . To take every two hours a pill containing two grains of acetate of lead and half a grain of opium. Mustard plaster to abdomen. Milk diet. May 16th: The patient remains about the same. Discontinue the pills. Rx. Tincture of catechu half an ounce, compound tincture of gentian three ounces and a half. Take a tablespoonful three times daily. May 21st: Bowels constipated . . May 25th: Diarrhea returns . . . June 24th: Diarrhea continues . . . June 27th: The diarrhea has ceased but the rheumatism still continues. Rx. Iodide of potassium one drachm, wine of colchicum root one drachm, compound tincture of gentian two ounces. Take a teaspoonful three times a day. July 1st: The diarrhea has returned. . . July 10th: The patient appearing to be nearly well, treatment was discontinued, and he was put on duty in the drug store. July 13: The diarrhea having recurred, he has returned to the ward and treatment was resumed. He was transferred to convalescent hospital July 30th. . . Admitted August 1, 1863. Chronic rheumatism. Transferred to the 2d battalion, Veteran Reserve Corps, November 15th.[2]

Case 562. Private William Farley, company E, 31st Maine volunteers; age 31; admitted from the depot hospital of the 9th Corps, City Point, Virginia, July 24, 1864. Had been attacked by acute rheumatism awhile before Petersburg about ten days previously. He was much debilitated; the joints of the lower extremities were swollen and tender; the bowels constipated. To take a dose of castor oil; chicken diet. July 26th: He was attacked with acute dysentery. Treatment: Paregoric; boiled milk diet. July 27th: Ordered powders of camphor, opium and ipecacuanha. July 28th: Added six ounces of brandy daily. August 2d: Substituted six ounces of Tarragona wine daily. He ran down rapidly, became comatose, and died August 5th, at 1.55 a.m.[3]

(Can we just stop and say, "Thank goodness for the wonders of modern medicine!")

According to the official death record, Francis had entered the hospital on December 20, 1864 with chronic diarrhea and died a week later of "acute rheumatism". The cases above imply there was some sort of connection between the

seemingly dissimilar diseases – one intestinal and the other generally confined to limbs and joints. Was there a connection?

A number of eighteenth century physicians and scientists thought so. Maximilian Stoll, an Austrian physician, had studied dysentery, believing that its cause was due to "exposure to cold while in a state of perspiration." Depending on the season when symptoms arose, Stoll had observed "winter inflammations of the upper parts of the body; of the middle parts in spring, and of the abdomen in summer and autumn."**4**

In one chapter Stoll explained how he had observed "that sometimes rheumatism in the limbs suddenly disappears and dysentery supervenes, while, in other cases, the dysentery suddenly ceases and the wrists and knees swell and become painful. . . . [He] had observed cases in which dysentery was complicated by rheumatism."**5**

The symptoms Francis presented upon entering the Post Hospital were not uncommon among Federal troops (nor, undoubtedly, among Confederate troops), although not entirely understood at the time, as several thousand cases of "acute rheumatism" were reported with acute rheumatic fever assumed to be the underlying cause.

It would be decades before scientists understood how rheumatic fever, long a scourge of the military, was spread by close contact in tight quarters. Dr. Bonnie Brice Dorwart explains:

*Not until World War II was its transmission limited by the simple step of arranging soldiers' cots in head-toe alteration in their quarters. At the same time the cause of rheumatic fever was recognized as an abnormal immune response in a patient whose throat was infected by a bacterium, a Group A streptococcus, resulting in a particular type of "strep throat."***6**

While rearranging cots limited the spread of all manner of illnesses, the development of penicillin in 1943 was significant. Had penicillin been available during the Civil War, the number of deaths resulting from disease would have been greatly reduced.

A war within a war was being waged on both sides. Confederate surgeon J. Julian Chisolm well knew the odds, describing camp duties of a regimental surgeon often carried out in "OJT" (on-the-job training) fashion:

We have already shown that the fire of any enemy never decimates an opposing army. Disease is the fell destroyer of armies, and stalks at all times through encampments. Where balls have destroyed hundreds, insidious diseases, with their long train of symptoms, and quiet, noiseless progress, sweep away thousands. To keep an army in health, is then, even more important than to cure wounds from the battlefields. But, as surgeons in the service are expected to be skilled in both departments, so that, in either case, the troops under their care might suffer no detriment, they should be thoroughly prepared for the very responsible positions which they fill. . . The surgeon in the Confederate service has charge of a number of very valuable lives, as the very best men in the country are in the army, and the necessity imposed – by the absence of consulting aid – of deciding the most serious and critical cases upon his own unaided judgment demands, upon his part, self-reliance, which can only be based upon previous preparation. Camp life gives a surgeon much food for thought and ample personal experience, but gives him no time to consult authors and improve himself with books. He does not see so great a variety of diseases as are met with in civil practice, but he has a wider field for observing the influences of external

*circumstances . . . It is especially the crowding together, with the animal emanations from such a number of living beings, that gives character to the phases of camp disease.*7

In terms of the war's most commonly reported diseases, dysentery (diarrhea) was number one, with rheumatism third most common. Any number of fevers might come and go – typhoid, malarial and rheumatic – second only to dysentery for causing debilitation and death. These fevers displayed distinct symptoms, but weren't totally understood at the time. For instance, malaria was thought to have been attributed to "hot weather and standing water and believed its cause to be vapors (mal air) arising from rotting vegetation."**8** Standing water was part of the problem, but not until 1897 did Sir Ronald Ross discover the actual cause: parasites living in a particular type of mosquito.

Typhoid fever had been around for centuries, although (again) not totally understood until the late nineteenth and early twentieth centuries. Even back on the family farm typhoid fever would have been a concern. My paternal great-great grandfather (John Clayton Hall) and my maternal great grandfather (John W. Erp) both died very young, the latter dying less than two weeks after my grandmother, his first child, was born in 1906. Once vaccines were developed and the practice of chlorinating drinking water became more common, death rates dropped dramatically in the United States.

Given the lack of fresh fruit and vegetables available to soldiers, scurvy was yet another debilitating malady. The disease caused a deterioration of joints and lining around the bones, affecting especially those of the leg (knee, ankle, shin).

Dr. Chisolm noted the need for fresh fruit and vegetables, and when none were available, recommended the use of dried products. The Army of the Potomac was especially hard hit in the spring of 1863.

Interestingly, Chisolm discouraged the use of wheat flour, describing the act of cooking it into an edible bread as "an act of cruelty to troops". Corn, more abundant and cheap, "and forming the very best of food for man" was preferred by Chisolm.**9**

It was interesting to note Dr. Dorwart made no mention of measles, referenced numerous times in subsequent reports issued by the Office of Surgeon General. Dr. Chisolm noted that measles, normally

*a mild disease, which excites no alarm under ordinary conditions . . . strikes terror in a camp. . . Add to this, and kindred eruptive diseases, glandular affections, tuberculosis, capillary bronchitis, typhoid and malarial fevers, with diarrhea and dysentery, and we have already summed up the chief cause of army mortality and deterioration of strength.***10**

Among the first reported diseases of the war appear to have been measles. Hostilities ensued after Confederate troops opened fire on Fort Sumter on April 12, 1861. Three days later President Lincoln issued a proclamation for 75,000 Federal troops. At the time England was experiencing a measles epidemic, as was Berlin, a small town in Wisconsin. In a small news bit reported in the *Appleton Post* on April 11 it was noted:

*Measles – We see by the Courant that this nauseous disease is having a pretty free run in the vicinity of Berlin, and is unusually severe among grown people.***11**

Perhaps not at all coincidental with early reports of measles outbreaks, was the enthusiasm with which Berlin men responded to Lincoln's call for three months' service to halt Confederate aggression. Almost two hundred men

stepped up to serve in locally organized companies, eleven of which eventually went South as part of the Union Army. One might wonder how many of these men had been exposed prior to volunteering. For that matter, Berlin was probably just one example of any number of locales, large and small. It certainly didn't take long for reports to surface in newspapers across the country.

Someone, writing anonymously as "DOODS" (somewhere in the South, perhaps Mississippi) wrote in late April 1861:

There is one company here, who have about one half of their men on the sick list – the Ben Bullard Rifles, of Itawamba county, Miss. I have been informed that the measles made its appearance among them while stationed down at Fort McRae. They have since been moved up near our encampment, and now the well ones have just about as much as they can do to take care of the sick.[12]

That same day (April 27), a slave named Reuben had died of measles in Vicksburg.[13]

Losing a fellow soldier in combat was difficult enough, yet no less difficult when disease felled a comrade:

Benjamin Underwood, of the Bradford Company, died in the hospital here [near Fort Monroe, Virginia] of measles. He was buried that afternoon. It was much regretted by the regiment that there were no means of sending the body home; but it was impossible, as no metallic coffin could be procured. This first break in our ranks, cast a gloom over the whole regiment, and expressions of sorrow, for our love and sympathy for his relatives at home were heard from every one.[14]

An outbreak of measles might leave a soldier vulnerable to other diseases (from a Confederate camp near Suffolk, Virginia):

There is considerable sickness in the camp, and on Saturday last, young Henry Ball, of Davidson county, died. He was a member of the Lexington Wild Cat company, commanded by Capt. Jesse Hargrave, and was only about 18 years old. His disease was typhoid pneumonia following measles. . . The measles brought here by the soldiers is spreading among the citizens, and whooping cough also prevails in town among the children.[15]

Recalling the article entitled "When Johnny Came Marching Home (without an arm or leg)" in the April 2018 issue of Digging History Magazine, we get the impression of massive numbers of Civil War soldiers suffering battlefield wounds followed by amputations without benefit of anesthesia. What patriotic soldier, willing to give his life for a noble cause, went to war wishing to die of a fever, measles or diarrhea – all of which seem rather ignoble (lowly, less than gallant) ways to go.

As historian (and the first female president of Harvard) Drew Gilpin Faust observed, "Civil War soldiers were, in fact, better prepared to die than to kill, for they lived in a culture that offered many lessons in how life should end."[16] By the time of the Civil War "many elements of the Good Death had been to a considerable degree separated from their explicitly theological roots and had become as much a part of respectable middle-class behavior and expectation in North and South as they were the product or emblem of any particular religious affiliation."[17]

Soldiers of all faiths – Protestants, Catholics and Jews (or no faith) – rallied around the need for unity and solidarity in the face of potentially deadly conflict. The percentage of Jewish soldiers was minuscule in comparison to those of Protestant and Catholic faiths, yet one Jewish chaplain embedded with a Pennsylvania regiment regularly held non-sectarian services which

covered a variety of topics, including preparing one's soul for death.[18]

William Alexander Hammond served as Surgeon General of the Army from April 25, 1862 until the fall of 1863, during which time he instituted a number of reforms. He later observed, perhaps resignedly so, that the Civil War took place during what he called "the end of the medical Middle Ages". An enumeration of the various death-dealing diseases which far outpaced combat mortality rates clearly indicate doctors had not yet come to understand the nature of germs and infection. Epidemic diseases like typhoid fever, dysentery, measles and malaria overwhelmed. As Faust observed, almost three-quarters of Union soldiers suffered from bowel disease. By war's end the incidences of diarrhea and dysentery had risen to an astounding 995 per thousand.[19]

When war broke out both sides were expecting a short-lived conflict. Instead it would be four long years of death by bullet or disease. It was a soldier's business to die, as one Confederate chaplain admonished his troops in 1863. Men of both sides well-knew the risk of death was high, yet "dreaded dying of disease even more." One Iowa soldier summed it up the prospect of dying from disease as "all of the evils of the battlefield with none of its honors."[20]

I'd like to think my ancestor Francis Dupee was willing to die the "Good Death" in battle, yet as his military medical records indicate he died of "acute rheumatism" and "acute diarrhea".

Doesn't sound quite so noble does it? Such were Civil War fortunes and "ways to go in days of old".

Having second thoughts . . .

about making your DNA results available on the Internet? You were curious – who am I and where did I (and my ancestors) come from?

In a world which has become increasingly intrusive it's no longer a "gray area". You have privacy concerns and you're not the only one. Check out this article for ways to remove your results from the Internet:

https://www.consumerreports.org/health-privacy/how-to-delete-genetic-data-from-23andme-ancrestry-other-sites/

Summer is around the corner which means time for family reunions! Digging History has a special sale, expiring on June 30. Contact seh@digging-history.com soon for more details.

OK, I give up . . . what is it?

by Sharon Hall

As genealogists we have all come across terms which are unfamiliar for one reason or another. Many times the word or terminology is archaic, or it might mean something altogether different in the twenty-first century. Such was the case as I was recently researching maternal ancestors. As mentioned in "Ways to Go In Days of Old" (page 39) I was researching possible French ancestry after coming across my third great grandmother's Widow's Pension Application.

My seventh great grandfather, Henry Chadeayne, was born in France in 1678 and in 1740 was chosen as one of his town's officers. In New Rochelle, New York Henry was appointed a "sessor". The word is part of a common word used today, "assessor", as in one who assesses or collects taxes. It was, however, some of the other offices which caught my attention. Uncertain of what the terms meant, I (as I am prone to do) set off on a little adventure to see what I could learn.

I should also mention I was intrigued by some of the meeting agenda items. Apparently, the question of where sheep were allowed to pasture was of great concern as a "Majority of Voices" voted "that Sheep shall be no commoners."[1] Since the term "commoner" today generally means someone who is of lower social status, I wasn't sure what the word meant in this context. It appears the term refers to "commonage" which means the use of something, like a pasture, in common with others. But, I've digressed – back to civic duty.

Some of the offices were more familiar like "town clerk", "constable" and "overseer of highways". Pretty obvious what these positions entailed. However, what exactly was a "fence viewer"? Or, for that matter, what were the duties of a "pounder"? Along the way I ran across a few more.

Pounder

Ever hear the saying, "he couldn't get elected dogcatcher"? In early America the job of pounder (or keykeeper) may have been similar to that of "dogcatcher", but it wouldn't have been referred to derisively, as in a low-level political appointment. A pounder was responsible for herding a variety of animals, whether stray or wild, into an enclosure of some sort (a pound) and often located on his own property.

As local customs and conditions necessitated, a town might pass ordinances regulating just how free animals were to roam throughout city limits. In the early 1800s these Connecticut towns were apparently needing to address the issue. In the case of Farmington, it seems just about anyone with a means to corral wandering animals could be a keykeeper or pounder – and apparently profit from it:

Be it enacted by the inhabitants of the town of Farmington . . . that no horses, cattle, asses or mules shall be allowed to go at large on the highways, commons, or uninclosed lands in said town; and it shall be lawful for any proprietor or holder of lands in said town, or any other person by his or her order, to impound any horse, cattle, ass, or mule, found or suffered

*to go at large as aforesaid, in a pound within said town nearest to the place where taken; and the owner or owners of such horse, cattle, ass, or mule, as impounded shall pay for each the sum of sixteen cents to the key-keeper, before the same shall be released from said pound, three-fourths for the use of the impounder and one-fourth for the use of the key-keeper.*2

In 1800 a "bye-law, for restraining Geese and Swine, from going at large within the limits of the City of Norwich"**3** was passed. While geese and swine wandering within the city limits faced imminent impoundment, the new ordinance only stipulated enforcement for precisely a period of one year and one month, enacted on (no kidding) April 1, 1800.

While animals may have been allowed to previously roam freely throughout a settlement, as small towns and townships grew into cities the citizenry wanted containment, preventing animals from "going at large". I suppose "going at large" could be interpreted more than one way, couldn't it? As far as being a pounder in days of old, it might have been a "dirty job" but someone had to do it.

Hog Reeve

Much like a pounder, a hog reeve wrangled stray animals of the porcine variety. This particular civic office was common throughout New England, and an important one since hogs were seen as a menace by reason of their propensity to root around in local fields and gardens. Whereas a cow might eat the tops off a potato, a hog would dig it up.

By law all swine were required to be yoked and have nose rings. Part of a hog reeve's duty was to outfit ring-less hogs, and charge its owner for neglect of the law.

New Hampshire is an example of a state which still elects hog reeves, even if done so primarily in jest. In 1988 a young lawyer, newly-married, decided to run for hog reeve of Cornish, New Hampshire. Why?

Tradition dictates it, according to a 1989 *Boston Globe* article. Why the task would often fall to younger men may be somewhat debatable, however. The *Globe* suggested a reeve "may have been chosen from the town's recently married men because they would be the most vigorous."**4** One genealogical resource suggests that "young men were adept at putting rings on young ladies' fingers."**5**

It was a vitally important issue early in New Hampshire's history, as evidence by a law already on the books and in apparent need of further legislation in 1767:

AN ACT IN ADDITION TO THE LAWS OF THIS PROVINCE FOR REGULATING THE MANAGEMENT OF SWINE

Although lengthy and full of "legalese" the act points out the importance of preventing swine from "going at large un-ringed" since pigs were prone to root up soil, "destroying the meadow and pasture land, and the fruit growing on tilled land". Since owners were often "careless of injuring their neighbours":

Be it therefore Enacted by the Governor, Council and Assembly:

*That no Swine of any kind shall be suffered to go at large, or be out of the inclosure of the owner thereof – And if the owner of any swine of any sort or kind shall suffer them he owns, or is possessed of, so to be, and go at large out of his or her inclosure, he or she shall forfeit and pay the sum of six shillings for the first offence, and twelve shillings for the second . . .***6**

Thus, while some New England towns passed local ordinances addressing such issues, in New Hampshire it was state law. Like many other towns throughout New

England, New Hampshire also needed fence viewers.

Fence Viewer

This civic position still exists today, although not exclusively in the New England area (some places in the Midwest still elect or appoint fence viewers). For example, someone serving as trustee of a small town or township or a county commissioner might have fence viewer responsibilities.

In early America, however, this civic position carried weight in terms of local governance. By the way, if your ancestor served as a fence viewer during the Revolutionary War (and you can prove it), you qualify to join either Daughters of the American Revolution (DAR) or Sons of the American Revolution (SAR) as a patriot descendant.

The Massachusetts Colony made provisions for fences in 1647 "For the better preserving of Corn from damage, by all kinde of Cattle, and that all Fences of Corn-fields, may from time to time be sufficiently upheld and maintained."[7] The job of fence oversight at that time fell to the selectmen of all towns:

f*or the repairing of all Fences both general and particular, within their several townships, excepting Fences belonging to Farms of one hundred Acres or above and have power to impose upon all Delinquents, twenty shillings for one offence; and if any Select men shall neglect to make Orders as aforesaid, they shall forfeit five Pounds to the use of the Town, and so for every Months default from time to time.*[8]

Thus, so important was the job of fence viewer that if a selectman failed in his duties he would be required to pay the town for dereliction of duty. In order to prevent such dereliction, however, selectmen could appoint up to two additional persons per year to "view the Common fences, of all their Corn-fields, to the end, to take due notice of the real defects and insufficiency thereof."[9] Furthermore, any perceived defects or insufficiencies required proof provided by two or three witnesses.

A town's fence viewer would take his job seriously, regularly walking through the town to "see that the fence be sett in good repaire, or else complain of it".[10] It was, of course, to an owner's advantage to keep his fence in good repair. If he didn't, and an animal broke through it, he would be liable for any damages. If the fence remained un-repaired the fine might be doubled and paid to the person who eventually performed the repair, often the fence viewer cum fence repairer.

Fence laws set requirements for sound construction as well as height limitations. In early America a "sufficient fence" would have been required to be at least four to five feet high. In New Jersey a sufficient fence would measure "Four Foot and Four Inches High."[11]

Whether a fence viewer actually measured a fence's height or just "eyeballed" it, one anecdotal account in Vermont newspapers in 1868 pokes a bit of fun (perhaps that state's fence viewers took their work a little too seriously sometimes?):

FENCES AND FENCE VIEWERS IN MORRISTOWN:

Fence Viewers – E.M. Irish, weight 300 lbs; Leonard Wood, height 6 feet 8 inches, and "Banty" Terrill, size of a tame cherry!

Voted, That all fences upon which Irish could sit, that Wood couldn't straddler, nor Banty crawl through, should be deemed legal fences![12]

In addition to regularly inspecting a town's fences, a fence viewer might be required to walk the town's boundaries with its selectmen, an annual tradition meant to

ensure a nearby town wasn't encroaching upon their own:

"Beating the bounds" was a specially important duty in the colonies where land surveys were imperfect, land grants irregular, and the boundaries of each man's farm or plantation at first very uncertain. In Virginia this beating the bounds was called "processioning." Landmarks were renewed that were becoming obliterated; blazes on a tree would be somewhat grown over – they were deeply recut; piles of great stones containing a certain number for designation were sometimes scattered – the original number would be restored. Special trees would be planted, usually pear trees, as they were long-lived. Disputed boundaries were decided upon and announced to all the persons present, some of whom at the next "processioning" would be living and be able to testify as to the correct line. This processioning took place between Easter and Whitsuntide, that lovely season of the year in Virginia; and must have proved a pleasant reunion of neighbors, a May-party. In New England this was called "perambulating the bounds," and the surveyors who took charge were called "perambulators" or "boundsgoers."[13]

Fence viewers arbitrated boundary disputes as well. While New England and parts of the Midwest may have required the services of fence viewers, Westerners – Texans in particular – have at times mildly mocked the tradition:

A Connecticut editor has been elected fence viewer, and now calls upon all persons having fences to be viewed to bring them to his office.[14]

Three clergymen have been chosen fence viewers in Charlotte, Vt. They were given to railling [sic].[15]

Every state has fence laws, even Texas, although I couldn't locate a record of the need for fence viewers in the Lone Star State. Who would have needed them when you had barbed wire?

Speaking of Texas, fences and barbed wire, that reminds me of . . .

Feuding & Fighting

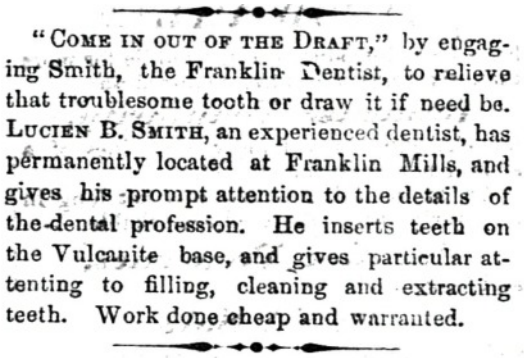
Fence Cutting War (Don't Fence Me Out)

John Grinninger wasn't looking to ingratiate himself to his Austin, Texas neighbors when he invented a little "contrivance" to keep wandering cows and mischievous children out of his garden in 1857. Grinninger, a bachelor Swiss immigrant, worked in an iron foundry with means to craft the barbed wire strung across the top of his garden fence. Neighbors were none too pleased "when their cows came home scratched and their children got holes in their britches."[16] Although a well-respected citizen, he came close to being run out of town (so the story goes).

John Grinninger was shockingly and brutally axe-murdered on April 19, 1862 by a slave who assumed the industrious old bachelor had money stashed away. Reports of Grinninger's death rocked Austin after someone discovered his life had been "taken in a most brutal an inhuman manner."[17]

Texans will claim Grinninger was the first to use barbed wire, although another man, Lucien B. Smith of Kent, Ohio and a dentist by trade, is credited with the invention and patent issued on June 25, 1867. Whether unbeknownst to Smith or not, almost a month later W.D. Hunt of Scott, New York laid claim to a similar invention, one which

"strung spur wheels on an ordinary wire." An infringement suit later determined Hunt to have been the first with the idea although Smith had received the first patent. Disagreements regarding patent ownership aside, neither of these gentlemen were able to find a way to cost-effectively manufacture their inventions. Smith manufactured less than a mile of wire and abandoned his idea, perhaps returning to the practice of dentistry at which he was particularly adept:



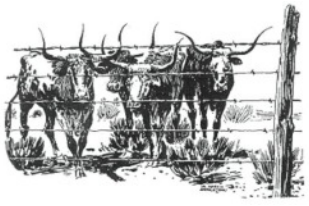
"COME IN OUT OF THE DRAFT," by engaging Smith, the Franklin Dentist, to relieve that troublesome tooth or draw it if need be. LUCIEN B. SMITH, an experienced dentist, has permanently located at Franklin Mills, and gives his prompt attention to the details of the dental profession. He inserts teeth on the Vulcanite base, and gives particular attenting to filling, cleaning and extracting teeth. Work done cheap and warranted.

Republican Democrat (Ravenna, OH), Dec 30 1863, www.newspapers.com, 3.

Joseph Farwell Glidden

In order for Smith and Hunt's inventions to be truly valuable would require more ingenuity than either man possessed, however. Barbed wire began to be mass-produced after another patent was granted to Joseph Farwell Glidden of Illinois.

Across the West prime range land consisted of treeless stretches of prairie. Without significant supplies of timber to build fences, barbed wire became more popular as cattle ranchers sought effective means to control access to their land.



The XIT Ranch in the Texas Panhandle put up some six thousand miles of barbed wire and farmers would fence their grain fields as well. Sometimes the fencing crossed roads and interfered with delivery of the mail – even public land was fenced. Open range cattle ranchers became alarmed when access was cut off to prime grazing pastures and water.

The situation reached a crucial stage in 1883, a year of severe drought. News and opinion articles across the state highlighted the work of the "nippers" as they were called:

Nipping became indiscriminate and was often done secretly at night by armed groups calling themselves Owls, Javelinas, or Blue Devils. They threatened fencers and burned pastures. Three people died and damage was estimated at $20 million.[19]

The *Galveston News* reported nippers had destroyed fencing around a 700 acre property on Tehuacana Creek near Waco. A threatening note regarding a pond on private property was left behind:

You are ordered not to fence in the Jones tank, as it is a public tank and is the only water there is for stock on this range. Until people can have time to build tanks and catch water, this should not be fenced. No good man will undertake to watch this fence, for the Owls will catch him. There is no more grass on this range than the stock can eat this year.[20]

While newspapers were vocal in their condemnation of nipping, state politicians were mostly silent on the issue. Meanwhile, however, Governor John Ireland was being urged to intervene. One of the strongest lobbyists for intervention was a woman by the name of Mabel Doss Day.

Mabel, daughter of John and Frances Doss, was born in Missouri in 1854. After graduating with honors from Hocker College of Lexington, Kentucky she taught school in Missouri before migrating to Texas with her brother in 1873. There she met William H. Day and married him in 1879.

Soon after their marriage the couple moved to Coleman County where William had purchased an 85,000 acre ranch, at least half of which would need to be fenced.

In June 1881 William died after his horse fell during a stampede. Unfortunately, he died intestate, leaving his widow with a debt-ridden ranch. She successfully worked to put the Day Cattle Ranch Company back on solid financial ground and in 1883 her land was the largest fenced ranch in Texas.

Mabel became a victim of the fence cutters after the so-called "fence cutting war" broke out. Her recourse, consisting of lobbying efforts in Austin for a law to make it felonious to cut fencing, paid off when a special legislative session was called by Governor Ireland to meet on January 8, 1884 to craft a solution.

After weeks of debate, the legislature passed a bill which made the crime of fence-cutting punishable by one to five years in state prison, while the crime of burning a pasture was punishable by two to five years in prison. It became a misdemeanor to willfully and knowingly fence public lands or someone else's property without consent. Offenders had six months to comply with the new law. For fences crossing public roads, gates were required every three miles.

The law apparently wasn't necessarily popular state-wide:

SIX MONTHS hence, when the fence cutters begin to ply their nippers on the political wire fence of Governor Ireland and his endorsers in the Legislature, the air will be full of music, but it will be hark from the tombs.

San Antonio Light - January 24, 1884

The law didn't necessarily solve the problem either, as the crime of "nipping" continued for years:

Fence cutting is going on again in the western part of the state and farmers and ranchmen are very much annoyed. Several miles of fence have been cut in Clay county . . . Farmers and ranch owners are arming themselves and searching for the fence cutters, and if they are found trouble will almost certain result.[21]

Blum, Texas. The wire cutters plied their nippers rather promiscuously last night in this vicinity, literally demolishing J.J. Russell's and Knox Thompson's pasture fences. There is no clue to the perpetrators. This is the first outrage of this kind that has occurred here for some time, and our citizens have been sleeping in peace thinking that wire cutting was a thing of the past.[22]

Drought years would heighten nipping activity even after the law's passage, until in 1888 local law enforcement in Navarro County called on the Texas Rangers to intervene.

Sergeant Ira Aten (later instrumental in settling the Jaybird-Woodpecker War [see January-February 2019 issue]) and Jim King were dispatched to the area. Disguised, the two Rangers secured jobs picking cotton and kept their eyes and ears open, soon discovering who the cutters were. Aten deftly placed dynamite charges along fence lines, later recalling in his memoirs:

I fixed the bombs so that when the fence was cut between the posts it would jerk a small wire laid under the grass to the cap and explode the bombs.[23]

Despite the Adjutant General's disapproval of his tactics, Aten's explosive "contrivance" appears to have been instrumental in ending the Fence Cutting War.

TEST TUBE TOTS
21st Century Moral Dilemma?

By Sharon Hall

This issue has featured a wide range of articles and this one is inspired by the book reviewed on page 23 (*Inheritance: A Memoir of Genealogy, Paternity, and Love*, by Dani Shapiro). While reading the book I pondered Ms. Shapiro's story and thought about how others had been unbeknownst-to-them conceived artificially as she was decades ago, and years before established ethical guidelines were in place. My question: does this present a potential 21st century moral (ethical) dilemma?

As DNA technology advances at an unprecedented pace I anticipate more stories like hers will come to light. For Shapiro, taking the DNA test was a casual afterthought, yet the results rocked her world – forcing her to adjust to new realities of who she really was in terms of heredity and heritage. Ponderous thoughts . . . and now a little history.

Knocked out, then knocked up (in a colloquial sort of way) is more or less how the first full-term American "test tube tot" was conceived. The year was 1884 when a 31-year-old Quaker woman visited Dr. William Pancoast, a physician at Philadelphia's Jefferson Medical College. She and her husband wished to have children but as yet had been unable to conceive.

While Pancoast originally assumed the inability to conceive was due to the woman's infertility, a series of examinations revealed the more likely cause to have been her husband's low sperm count. Her husband, a wealthy 41-year-old Philadelphia merchant, was healthy – save for a case of gonorrhea years earlier. A two-month course of treatment yielded no change – his sperm remained "absolutely void of spermatozoons".[1]

Pancoast made the decision, without informed consent of either the woman or her husband (the moral dilemma part) to proceed with treatment as follows:

In front of six medical students, Pancoast knocked out his patient using chloroform, inseminated her with a rubber syringe, and then packed her cervix with gauze. The source of the semen was one of the medical students in the room, determined to be the most attractive of the bunch.[2]

Was Pancoast a scientist or some sort of quack, or as one 1965 article suggested, perhaps he submitted to pressure from his students.[3] By all accounts William Pancoast was a reputable physician. He was born in Philadelphia in 1835, the son of Joseph Pancoast, a renowned surgeon. After graduating from Haverford College William entered Jefferson Medical College and graduated in 1856. Following extended studies abroad he returned to Philadelphia in 1858, cultivating his own well-regarded reputation as a surgeon.

During the Civil War he served as chief surgeon at a Philadelphia military hospital and in 1862 was appointed Demonstrator of Anatomy at Jefferson. In 1868 he became an adjunct professor and five years later replaced his father as Professor of Anatomy.

Upon retiring from Jefferson, William Pancoast took a new position as a professor at the Philadelphia Medico-Chirurgical College in 1886. His career had been steady, rather uneventful actually, as evidenced by a brief obituary published in *The British Medical Journal* in 1897:

He contributed largely to the literature of his profession, and his writings were always marked by width and accuracy of knowledge and soundness of judgment.**4**

It doesn't sound like William Pancoast was a "roll-the-dice" kind of guy. As a professor of anatomy he perhaps possessed special knowledge about infertility, or perhaps he had read of earlier attempts by J. Marion Sims, founder of New York's Women's Hospital. After the hospital's opening in 1855 Sims attempted fifty-five artificial inseminations on six different women, yet only one procedure resulted in pregnancy before ending in miscarriage.

Pancoast never told the woman the details of her last "examination" before conceiving, and only told the father following the child's birth. Together, the two men decided it best to keep the circumstances a secret from the mother. Pancoast never wrote of this particular "accomplishment" even though he wrote extensively throughout his career.

The world only became aware of it after one of his students, Addison Davis Hard, present on that day, divulged details of the procedure in an April 1909 letter to the editor of *The Medical World*. It had been twenty-five years, Dr. Pancoast had died in 1897, and perhaps Dr. Hard decided it was time to unburden his soul. His opening remarks suggest he may have thought for some time regarding the procedure and its ethical implications:

Editor Medical World: – It has been twenty-five years since Professor Pancoast performed the first artificial impregnation of a woman, in the Sansom Street hospital of Jefferson Medical College, in Philadelphia. At that time the procedure was so novel, so peculiar in its human ethics, that the six young men of the senior class who witnest [sic] the operation were pledged to absolute secrecy.**5**

A.D. Hard described how treatment had progressed to the point where no one had a clue as to how to remedy the husband's blocked seminal ducts. He continued:

A joking remark by one of the class, "the only solution of this problem is to call in the hired man," was the probable incentive to the plan of action which followed. The woman was chloroformed, and with a hard rubber syringe some fresh semen from the best-looking member of the class was deposited in the uterus [swearing everyone to secrecy]. . . subsequently the Professor repented of his action, and explained the whole matter to the husband. Strange as it may seem, the man was delighted with the idea, and conspired with the Professor in keeping from the lady the actual way by which her impregnation was brought about. In due course of time the lady gave birth to a son, and he had characteristic features, not of the senior student, but of the willing but impossible father.**6**

Dr. Hard had recently met the boy who was by then a New York City businessman. His article took on a bolder tone after suggesting a society for propagating the practice of artificial insemination was in order. It sounded very much like eugenics which, at the time, was "all the rage". Interestingly, the term "eugenics" had been coined in 1883, one year before Pancoast's experimental procedure, by Francis Galton,

a cousin to Charles Darwin. The word, derived from Greek, means "good in birth" or "noble in heredity."7

Hard went on to expound regarding artificial impregnation, marriage and venereal disease:

*Marriage is a proposition which is not submitted to good judgment or even common sense, as a rule . . . Artificial impregnation by carefully selected seed, alone will solve the problem. It may at first shock the delicate sensibilities of the sentimental who consider that the source of the seed indicates the true father, but when the scientific fact becomes known that the origin of the spermatozoa which generates the ovum is of no more importance than the personality of the finger which pulls the trigger of gun, then objections will lose their forcefulness, and artificial impregnation become recognized as a race-uplifting procedure.***8**

"Race-uplifting procedure" was no doubt a phrase lifted from the ethos of that era amidst growing interest in the "science" of eugenics. The more he wrote, the more he sounded like a hard-core eugenicist:

It is gradually becoming well establisht [sic] that the mother is the complete builder of the child. It is her blood that gives it material for its body, and her nerve energy which is divided to supply its vital force. It is her mental ideals which go to influence, to some extent at least, the features, the tendencies, and the mental caliber of the child. . . It is the predominating mental ideals prevailing with the mother that shapes the destiny of the child. . .

A scientific study of sex selection without regard to marriage conditions, might result in giving some men children of wonderful mental endowments, in place of half-witted, evil-inclined, disease-disposed offspring which they are ashamed to call their own…

The man who may think this idea shocking, probably has millions of gonnococci swarming in his seminal ducts, and probably is wife has had a laparotomy which nearly cost her life itself, as a result of his infecting her with the crop reaped from his last planting of "wild oats." . . .

*Go ask the blind children whose eyes were saturated with gonorrheal pus as they struggle thru the birth canal to emerge into this world of darkness to endure a living death; ask them what is the most shocking thing in this whole world. . . They will tell you it is the idea that man, wonderful man, is infecting 80 percent of all womankind with the satanic germs collected by him as his youthful steps wandered in the "bad lands."***9**

A.D. Hard had unburdened his soul (rather ickily), "outed" Dr. Pancoast, sounded much like a male feminist, even more so a eugenicist (or so it seemed). However, in a July 1909 article published in the same journal, he brushed aside the original article's bold assertions, implying "it had been embellished with radical personal assertions calculated to set men thinking."**10**

He did in fact "set men thinking" as the next few issues published varying thoughts:

I greatly enjoyed his article and have given the idea much thought. I have personally used the impregnator with success o mares that were apparently steril [sic], and have read what I could find on the procedure in the human family. If, from a commercial standpoint, it be a paying process in the animal kingdom, why would not its influence be many times greater in the human family? Male colts that are not promising individuals are promptly castrated, and yet they are not diseased, and in this way the quality of horse flesh is looking forward; but we are standing idly by and witnessing thousands of infected young men of fine families select a pure,

innocent young girl, perhaps your own, to deposit the deadly seed of his "prodigal" reaping, resulting in the train of symptoms in women so common to the surgeon today . . . Why not adopt the castration plan in the human family and save the state and Nation the responsibility of having the charge in the state institutions of these deaf, blind, insane, and criminals?[11]

Yikes! J. Morse Griffin of Sulfur Springs, Arkansas certainly didn't mince words did he?

A doctor, writing to the editor in the same issue cited above, mistook Hard's "hard-line" assertions, unable to believe the story of Dr. Pancoast was true at all:

Some notice, I think, should be taken of Dr. Hard's dream (page 163). I wondered what he had eaten for supper, or what is his brand of drinking water. Dr. Pancoast was a gentleman, and would not countenance the raping of a patient under an anesthetic. . . The story of taking the gentleman's seminal fluid to be examined by the students to see it it contained any "spermatozoons" is a flight of fancy worthy of Munchausen.[12]

Others opined:

"ridiculously criminal" (N.J. Hamilton, M.D., Buswell, Wisconsin);

"a ridiculous jumble of fact . . . I must admit that I do think this article shocking, not only to me but to any male or female who has a proper understanding of marital relations or the laws of God. . . Furthermore, I have as healthy and bright a child as one could wish for, and she was not begotten with a hard rubber syringe, either." (C.L. Egbert, Glenville, Nebraska)

Dr. Hard had to 'fess up in the July issue, however, in answer to his many critics:

I cannot convey to you an idea of the amount of pleasure that the varied answers to my article on "Artificial Impregnation" have given me. In answer to all my critics and reviewers, I wish to say that while the article was based upon true facts, it was embellisht [sic] purposely with radical personal assertions calculated to set men to thinking on the subject of generativ [sic] influences and generativ [sic] evils. Bless my critics. I would not wish to own a child that was bred with a hard-rubber syringe. And I do not care to think that my child bears toward the millenium no traces of his father's personality, humble tho it be. I am a firm disciple of impregnation in the good old orthodox manner, with all its esthetic features and risks of evil. Let us now pull the trigger of some other gun, and set free another explosion of cerebral action.[14]

Engendering "explosions of cerebral action" aside, the journal's editor was not, it appears, amused by Hard's repartee, adding "[And the editorial department will hereafter realize that you are not to be taken seriously, and act accordingly.–Ed.]".

Dr. Hard, all kidding aside, had set off a firestorm of opinion, both for and against the practice of artificial impregnation – at least in regards to the human variety.

Actually, the term "artificial impregnation" had been around for quite some time. In terms of the proverbial "birds and bees" these references had been on the "bees" side, focused on creating hybrid seeds, various plants and flowers. By the late 1870s the subject of "artificial impregnation" of fish was openly discussed in newspapers.

When the original story was published in 1909, the world was still processing its exit from the prudish Victorian Era. Openly speaking of plants and fish in terms of artificial impregnation was one thing, the human variety quite another. Still, by the mid-twentieth century technology advanced and artificial insemination had taken place,

just not openly. Dr. Edmond Farris, of the Institute for Parenthood on the campus of The University of Pennsylvania (Penn) in Philadelphia, was operating (more or less) in a "legal no-man's-land."[15]

Farris, aware of widespread and historical religious thinking, nevertheless believed he was acting ethically:

I see nothing wrong in trying to bring children of fine quality into the world. We're not in this for monetary gain.

We select a donor who matches the father in everything but blood. Color of hair and eye is the same. We even consider build and religion.

He described the donors in his institute as the "best material that Philadelphia medical schools can offer."[16]

The practice of artificial insemination was an "open secret", with little or no regulation through the 1970s, as Dr. Michael Glassner remembers from his medical school days: "The ob-gyn walks down the hall and says: 'How tall are you? Are you healthy? How'd you like to make $100? Here's a cup.'"[17]

In 1958 Dr. Farris saw nothing wrong with bringing "children of fine quality" into the world via artificial insemination. The practice, colloquially known as "test-tube baby" was, however, making headlines around the world – in many cases not in a good way, either. The public was already questioning such things as "test-tube baby" legal rights:

Q. *Do "test tube" babies have the same legal rights as other children?*

A. *If the husband is the father there seems to be no special legal problems. When the husband is not the father, things get pretty involved. Laws always lag behind scientific discoveries. When our laws were made no on had any idea that "test tube" babies were possible. Lawyers will have to start from scratch and determine what legal right such children have.*[18]

In Edinburgh, Scotland a judge has just ruled that a wife who had given birth to a test tube baby after separating from her husband was not in fact committing adultery. Indeed, her defense counsel had admitted the case was "unique in the annals of our law."[19]

Ronald G. MacLennan of Glasgow was suing wife Margaret (who had since removed to Brooklyn, New York) for divorce on the grounds of adultery. The two had separated in March of 1954 and the following year on July 10 she gave birth to a girl. Without her husband's consent or knowledge she had been artificially inseminated.

The ruling, in turn, set off a firestorm across Great Britain, despite "the traditional British reluctance to discuss sex in public." The Archbishop of Canterbury vehemently denounced the practice as evil, demanding artificial insemination by anonymous donor (AID) be made a criminal offense![20]

Was it "Blessing or Sin" as one British medical expert had gone on television to discuss? At the time of his interview, Dr. Alfred Byrne revealed there were already 1,000 to 1,500 so-called test-tube babies in Britain. Statistically speaking, Byrne revealed one in every eight marriages were unlikely to conceive without artificial means. In his opinion, however, the trouble (9 out of 10 times) lay with the woman.

One panel member, a lawyer, was of the opinion that AID rendered the child illegitimate. Public opinion was mixed in response to the television program:

- *I am the mother of a test-tube baby. He is now five, and his coming, with my husband's full knowledge and consent, made all the difference to our marriage.*

I say to the Archbishop of Canterbury: 'If it is wrong to be happy, then we have done wrong'.

- *A child conceived in this revolting way is a sin against all laws of nature. If, however, this method is right, it is not wrong for a child to be born out of wedlock.*
- *However evil artificial insemination may be, its result is to create children, rather than destroy them.*[21]

And, for hundreds of families, the desire for children and the ability to produce them – whether naturally or artificially conceived – was the most salient point of all.

Following the uproar surrounding the Scottish case, reports of test tube babies, parental rights, as well as opinions both pro and con, erupted in newspapers. Test-tube baby court trials, often involving divorce proceedings, made for riveting headlines. Much like A.D. Hard's provocative 1909 article, it "set men (and women) to think."

An "ordinary" Australian housewife couldn't understand (as the mother of four, trying to raise them with Christian training) "the medieval attitude of those who oppose artificial insemination on moral grounds."[22] Yes, clerics could argue if a woman was barren then it was surely God's will. Then, again, God had also given man the knowledge and abilities to produce miracle-working medical procedures. Surely it was the right of every married woman, her primary right, to produce a child. If it was legal to place a child with a couple who weren't its biological parents, then why was it wrong to conceive them artificially.

This ordinary Australian housewife had a point. Technology to help childless couples produce offspring was rapidly advancing, although one wonders how much thought (if any) these couples put into potentially ethically-challenging consequences decades into the future.

Modern DNA research rapidly advanced after Oswald Avery identified genes as discrete units of heredity in 1944. In 1959 Down's syndrome was officially linked to the presence of an extra chromosome (21). Yet, DNA sequencing and mapping technology were still decades away in the 1950s.

Dani Shapiro was artificially conceived via AID in the early 1960s, her mother desperate to have a child of her own. As a child growing up with Jewish parents she would sneak down the hallway to the bathroom after her parents were asleep and stare into the mirror, searching for features which bore similarity to her parents.

Fast forward fifty-plus years and casually take a DNA test. Shapiro was at first merely confused by her results which showed only 52 percent Ashkenazi Jewish (Eastern European) ancestry. As far as she knew her parents were Jewish through-and-through. The rest of her DNA makeup was French, Irish, English and German.

Startlement set in, however, after discovering the person she always assumed to be a half-sister (her father's daughter from a previous marriage) was not related biologically. DNA technology now makes it possible to pinpoint not only ancestral ethnicity, but the ability to link us to biological kin we never knew we had. That same technology also makes it possible to "un-link" them. A five-minute "spit test" can change a person's perception of biological parentage – just like that.

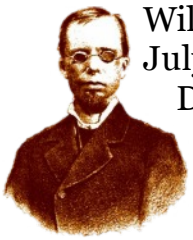
If this had happened to me, how would I have responded? If it happened to you, would it turn your world upside down?

Ponderous thoughts, indeed.

Editor's Note

Sometimes I run across people whose story just begs to be told. This one had been slated for the April 2018 Civil War issue, but time didn't allow. Much like Civil War veteran Francis Jefferson Coates (featured in that issue, "North and South: Profiles in Courage"), William Sallada lost his sight in battle and overcame a host of limitations to live a long and purposeful life.

William Henry Sallada



William Henry Sallada was born on July 12, 1846, the first child of Daniel and Maria (Stover) Sallada. Their home, situated in a valley at the foot of Sugar Loaf Mountain near the Susquehanna River, was an idyllic place to grow up. William, a particularly bright child, was also a bit of a prankster and loved fishing and exploring nearby mountains.

In 1852 Daniel decided to take his family west – "west" meaning the western Pennsylvania county of Mercer. There Willie attended district school when not engaged in helping his father with the family farm.

William wrote a book, entitled *Silver Sheaves: Gathered Through Clouds and Sunshine ("Sheaves")*. Published in 1879, the book is laid out in two parts: the first, in which he shares remembrances of his life leading up to the Civil War, his wartime experiences, the aftermath, finding love and marriage and his pursuit of a suitable career, is autobiographical. The second part consists of over one hundred pages of poetry and prose penned by William Sallada.

In the months leading up to the fall of Fort Sumter, William was employed in a book store/news shop in Greenville. Working for a news shop, of course, kept William abreast of events which would crescendo and later explode into the bloodiest, deadliest conflict the nation would ever see.

Not long after taking the job in Greenville William had occasion to explore the town, passing by one particular building with a sign above the door: "Ten-pin Alley". William, a farm boy, had no idea what went on there, but was curious to take a look.

In short order he found himself hooked on the game of bowling. After being persuaded to help out around the establishment (setting up pins), William was "induced to take something to drink." (*Sheaves*, 39.) His mother, a staunch Christian, would have no doubt been disapproving. Although customary for patrons to imbibe whilst bowling, he accepted candy instead. Eventually, his resistance wore down and he began to partake and became "so used to the familiar beverage, that, when I wished to imbibe, I would not permit the bartender to measure out the amount of liquor I was to take, but assumed that high privilege myself, fearing, perhaps, that he would economize to a greater extent than my increasing appetite for stimulating drink would warrant."(*Ibid*.) In a short time William became addicted to alcohol.

His skills as a ten-pinner increased, garnering a bit of notoriety – and opportunities for some gambling on the side. William, increasingly aware he was drifting away from the standards with which he had been raised, returned to the farm, which by now held little charm. He was a restless young man, in search of a purpose.

He continued to drift, however, as his father allowed him to travel east. Traveling east from western Pennsylvania near the end of June 1863 would prove to be a life-changing decision. As he neared the town of Phillipsburg on July 3 he heard canon fire – the final day of the great Battle of Gettysburg. William was stirred, but as yet

too young to enlist without parental consent. He decided instead to accompany a friend who had just enlisted to Ohio to visit family before heading off to war.

Upon his return, and much to his dismay, William learned rumors had circulated of his having run off to enlist. His family was understandably dismayed, but William later learned his father had resigned himself to the possibility his oldest child had gone to war without his permission, or as much as a proper farewell to family.

William, upon hearing of his father's reluctant acquiescence, decided he would indeed enlist and dedicate himself "to the service of my imperiled country, feeling a willingness, if need be, to die in so sacred a cause." (*Sheaves*, 49.)

His friends were disheartened by his decision and discouraged his enlistment. William, however, was determined to enlist, assuring them he would return. He had no idea of the perils which awaited him, nor how his life would change in an instant.

Instead, on the morning of February 29, 1864, he departed again for Greenville, "designing while there to institute some means to get into the service." (*Sheaves*, 51.) After making his way to Meadville to the office of the district Provost Marshal, William began preparing to enlist via a series of examinations. William, of slight build and not quite eighteen years old at the time, was dismayed to discover military standards required a weight of at least 110 pounds.

William, faced with the thought of being rejected, was apprehensive on the day of his physical exam. He was otherwise healthy, his lungs strong enough for the doctor to predict he would never die of consumption. Stepping up onto the scales brought waves of apprehension and dread, yet when the "proper peas were adjusted" his weight was recorded as 110 pounds.

The final ordeal, an appearance before the Provost Marshal, resulted in his official enlistment, although not before giving himself a surreptitious height boost by elevating the heels of his boots from the floor while standing amongst others not quite so height-challenged as he. March 1, 1864 was a momentous day for young William. He was off to war.

Two days of furlough back home before departing for his first assignment went quickly. By the time the first payday arrived on March 22, 1864, William was more than a bit apprehensive as he'd just conversed with a new friend who had was being discharged for lying about his age. William, a man of prose, later recalled:

Having been under eighteen years of age, he sought to supply this deficiency by resorting to falsehood; but his fiction had not been matured properly, and on being asked by the Pay Master to give the date of his birth, he hesitated and blundered, until his falsehood was thoroughly exposed, and his rejection was an inevitable consequence.

William had no choice but to firmly and confidently declare himself to be eighteen years old if he wanted to remain a soldier. In anticipation, as he later related, "I had prepared in my own mind a series of answers which would save me from hesitation, and make one fiction coincide with another." (*Sheaves*, 67-68.)

Still, should he be caught he would back down and return home "without the sin of perjury on [his] soul." When asked his age, William briefly and coolly answered "eighteen" and received "a large amount of greenbacks."

William had enlisted with the 57th Pennsylvania, a regiment commanded by General Hancock. By April 2 his company arrived at an old rebel camp to set up quarters, passing the days with daily routine duties and whatever recreation one could

find to pass the time. By early May the regiment was positioning itself to engage the enemy.

The Battle of the Wilderness, fought on May 5-7, 1864, was William's first engagement, an indecisive one resulting in considerable loss for both sides, followed by the Battle of Spotsylvania Court House.

Spotsylvania, a costly, indecisive battle, dragged on for two weeks. By early July rest was in order, the just-completed campaigns resulting in thousands of deaths. His regiment alone had lost six hundred officers. By this time young William, nearing his eighteenth birthday, had participated in all the fighting, had several close calls, thankful to God for preserving his life, despite lapses in his childhood faith:

I read my Bible because I promised my mother at parting that I would. But I never allowed my mind to inhale the sweet passages of that precious book. My mind was absorbed in the pleasures and excitements of the world, indulging in what leads the mind from Christian piety. But I was in the army with all kinds of people, and being very young, was more easily influenced to indulge in wicked habits. (*Sheaves*, 103.)

By early August rumors circulated indicating the regiment would be going to Maryland since General Lee was in the vicinity of Washington. They marched first to City Point and then in the direction of Washington in an attempt to mislead Lee's troops.

At one point, having been riding in the rear, William was advancing to the front and on the way stopped by house of a woman who fired off a string of curses, "telling what ill treatment they had received at the hands of the Yankees, and how they had inhumanly murdered women and children." (*Sheaves*, 109.).

William let the woman finish her tirade and then asked how she came to know this. Her information had come from the Richmond papers, and she was apparently unaware of Lee's raids in the North. Of course, in her estimation, General Lee would never be guilty of such inhuman deeds. As a matter of fact, the Yankees were about to be trapped. Topping off her tirade, she wished William would get killed.

He would later recall the incident as his "last interview with the women of the South and she was the most bitter one with whom I had ever conversed." (*Sheaves*, 110.) Thereafter, he proceeded rapidly toward the front and came upon a group of Union soldiers, the last ones he would ever see.

After turning onto a small side-road, William discovered a series of obstructions meant to impede Union troops from advancing. By the time he found his way out and back to the main road a squad of rebels suddenly appeared and fired upon him, "wounding my beast in the neck and dislocating the horn of my saddle." (*Ibid.*)

A "giant-like rebel" called for William's surrender. As he was about to wheel about and flee, the rebel raised his gun, fired and hit William. The ball entered the lower part of his left temple between the ear and eye, passed through his head, cut off the bridge of his nose and came out his right eye. Where the bullet entered at the temple, flesh hung loose from his cheek in three different places on the left side, the right in two places.

Surgeons estimated the ball had passed through William's head and buck glanced over his eyebrow, "mashing it considerably." He was "most horribly mangled" and it was three days before he received proper medical attention. (*Sheaves*, 111-2.)

After falling he had instantly arose and, still able to see with his left eye, saw his horse "rapidly retracing his steps." He started after the horse and jumped a small

embankment only to realize the jarring leap had caused blood to run into his left eye, blinding him. After running into a tree he wrapped his arms around it to steady himself, still unaware of just how much pain he was experiencing. His head was "completely benumbed" and his clothes saturated with blood. He was both sightless and helpless as a rebel soldier taunted and proceeded to rob him.

William, desperate to somehow grope his way back to Union lines, was bleeding profusely from both sides of his head, all the while expecting he would live but for a short time longer. The rebels were probably planning to leave him to die alone.

Just then a brigade of colored troops arrived, quickly assessed the situation and proceeded to charge the enemy and rescue William. He was growing weak from loss of blood, and by the time they reached the division hospital his head was swollen so badly he couldn't speak. (*Sheaves*, 112-3.)

The realization that he was horribly disfigured, giving him a "revolting appearance", compelled him to beg someone to shoot him and "thus put me out of my misery". He was, of course, one of many soldiers lying in anguish. William later discovered the situation was worse than he knew at the time – "some of the surgeons in attendance were too drunk to discharge, with any sort of decency, their professional duties." One of the surgeons, sober or not, had already pronounced William's case as hopeless. Mortally wounded, his days (or hours) were numbered. (*Sheaves*, 115.)

Were it not for a chaplain whose name William never learned, he probably would have died. The chaplain was determined to take him to Washington where he might receive proper medical care. The surgeon who had just pronounced William mortally wounded refused transport. Disheartened, but undeterred, the chaplain proceeded to approach the captain of the transport, begging him to allow William on board. Amazingly, the captain agreed and by midnight of August 17 William was admitted to Washington City's Carver Hospital. Three days without medical or surgical attention of any sort had passed since his injury. Luckily, he had been taken to Washington's finest hospital.

While perhaps not entirely conscious of his surroundings, William was aware when physicians approached his bed with curiosity. They assumed he was unconscious (he wasn't) and pronounced him beyond all help. Nevertheless, his case was assigned to Dr. Wynants, whose skills William would eventually owe his life to.

The process of probing the wound was excruciatingly painful and more than a bit gory as one procedure necessitated the insertion of the doctor's finger to push along a threaded needle, dragging bone fragments along with it.

Dr. Wynants would later tell William how he came to visit him day after day, expecting to find him either dead or expiring. After a month Wynants expressed hope and promised William he would "employ all means known to medical science" to prolong William's life and bring him back to health. (*Sheaves*, 120-2.)

In addition to Wynant's skills, William was blessed with the services of an excellent nurse and the befriendment of a wealthy New York heiress named Harriet Whetten. The war had compelled her to travel to hospitals administering care rather than spend "her large patrimony in the pomps and vanities of fashionable life". Harriet made sure William was comfortable and visited daily after he was able to sit up. She took great interest in his spiritual welfare, reading portions of the Bible and talking to him about God's goodness.

In the meantime his parents had received two letters, both presumed to be government communications. A false report of William's death had already caused a great deal of grief for his family. The first letter, sent by a well-meaning friend announced that William had been mortally wounded and with all haste they must proceed to Washington. The second letter was from Harriet who assured them their son was receiving the best care possible.

It would be a long journey from Greenville to Washington, perhaps dangerous, but William's mother wanted to see her son as soon as possible. While in Greenville to purchase the tickets Daniel received another letter from Washington advising against a visit. William's condition was still quite critical and doctors "feared that the least emotion, excitement or worry might snap the slender cord on which [his] life hung." (*Sheaves*, 125-6.)

Tragically, Maria Sallada died on the third of December, never having seen her son one last time. Actually William had been healing rapidly. A physician who lived a short distance from Greenville had called upon him (before Maria's death) and offered to take William home. Dr. Wynants advised against it, but by January 12, 1865 William was on his way back to Greenville for a 60-day furlough.

Upon his return to Washington William was flattered to receive the visits of some of the city's elite citizens, including two visits by Mrs. Lincoln. The war was winding down and on April 11, three days before Lincoln's assassination, William had the honor of hearing the President's last public speech.

After several months convalescing at Carver his doctors suggested a transfer to McClellan Hospital in Philadelphia. Doctors there might be able to treat his left eye, restoring his sight; should treatment be unsuccessful, William could enroll at one of the finest asylums for the blind.

After his official discharge from the Army, William returned home before entering the asylum. He later became reacquainted with a fellow soldier who offered him a job as a book agent, declining the chance to be trained at the blind institution. It would be a turning point in William's life as he renewed his faith, fell in love and married Florence McGinnis on August 11, 1868.

William and Florence established a home in Greenville. Newly married, William pursued a career as a merchant. Although unsuccessful, he had continued his work as a book seller, a trade with which he was particularly adept it seemed.

To their family was born their first child on November 6, 1869, a son named Grant Lorraine Sallada. A year later, acting on a desire to "go west", they traveled through Ohio, Indiana, Michigan and Illinois, and crossed the Mississippi into Iowa. Des Moines seemed an ideal place with its bustling commerce. Yet, upon further investigation William discovered "that all branches of business were well represented [there], and that a man with small means would stand no chance." Perhaps a smaller town would be more accommodating.

Monroe, thirty-miles southeast of Des Moines, was a beautiful town with less than two thousand inhabitants. It would be a good place to put down roots. William purchased a home and by January 1871 had purchased a grocery, boot and shoe store. The following month their second son, Harry Daniel, was born.

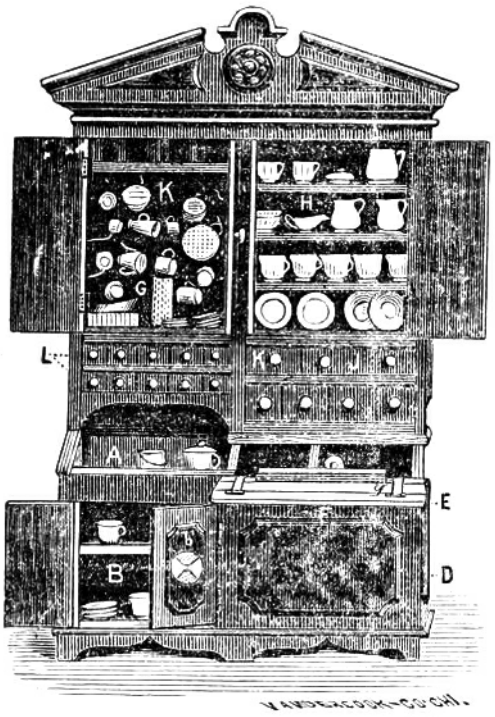
The book business always seemed the best fit for William. Two months after purchasing the mercantile business, he sold out to his brother and went back to the book business. Was this his destiny, his life's work? One wonders what propelled him to do it, but in October 1871 he decided to

undertake a decidedly challenging project – he would erect an addition containing four apartments to his home. Amazingly, he laid out and framed the building himself and "when it was raised it all went together without a single miscalculation." (*Sheaves*, 189.)

A neighbor kept an eye on the project, curious to see how a building erected by a blind man might turn out. He pronounced it very good! William later wrote:

I had laid the floors, sided, hung the doors, and in fact did all the work except a little help on the roof. I will state that while I enjoyed sight I had never seen a building laid out, much less worked on one. This addition being on two sides of the house, any mechanic will readily see was difficult. During the winter I built a fine combination bureau, secretary and glass front library handsomely finished, which to this day is pronounced a fine specimen of workmanship, even to those skilled in the art. (*Sheaves*, 189-90.)

There seemed to little William wasn't willing to at least attempt despite his handicap. His next venture was the "Monroe Music Emporium" and, as his stature in the community increased, he would successfully run for municipal office. The music store was quite profitable, although "during leisure hours and odd moments [he] had been working on an invention." (*Sheaves*, 196.) In June 1877 William Henry Sallada, a blind Civil War veteran, received U.S. Patent #191,549 for his invention, "Improvement in Cupboards", or "Sallada's Combination Cupboard" as it came to be known.



SALLADA'S COMBINATION CUPBOARD.

An "Improvement in Cupboards" may have been a tad modest. It was quite elaborately designed as William described it:

It consists of two parts , and is detachable – each part complete in itself. The combination can be divided into five sections, and each section, used independent of the other. All the drawers close air-tight, by means of rubber. The flour receptacles and victuals cupboard are provided with adjustable ventilators. The whole combination contains thirty-six compartments, and only occupies 2x5 feet of space on the floor. (*Sheaves*, 196.)

No doubt possessed of a keen analytical mind, William received yet another patent (#205,425) on July 25, 1878 for an "Improvement in Carpet Stretcher and Fastener", described by William as:

a novel device for stretching and fastening down carpet without tacks. With this device carpet can be put down in one-tenth the time required by the old method; it obviates the injury carpet and floor sustain

by the use of tacks; it entirely conceals the edge of carpet and gives a most elegant finish to the apartment; is easily adjusted to any size room, and can be loosed in two or three minutes for speedy removal, as in case of fire. (*Sheaves*, 199.) Yet another invention, a stair rod (patent number unknown), was touted as "the most convenient, durable and handsome rod ever placed on the market." (*Sheaves*, 201.)

The music store was sold and William planned to engage in the manufacture of his inventions. On August 31, 1878 another son, William Carl(ton) Sallada, was born. Brother-in-law Charley McGinnis, impressed with William's inventions, decided to enter into partnership to manufacture carpet fasteners and stair rods.

In late 1878 the family moved to the "enterprising, flourishing city of Des Moines." (*Ibid*.) In 1880 William and Florence and their four children (Florence Edna, a daughter, was born in December 1875), including Charles McGinnis, were living in Des Moines, William and Charles engaged in the business of "manufacturing stair".

William had experienced modest success in the book business, went on to find greater success in the music store business, all the while contemplating ways to improve his life and the lives of others through invention. These would have been considered stellar accomplishments for anyone in his early thirties – even more so for someone who was sightless.

William was a proud Civil War veteran and member of G.A.R. (Grand Army of the Republic). In 1887 he attended the National Encampment in San Francisco. By 1890 he and his family were living in Santa Barbara, California. Was it business and enterprise, perhaps milder climes which compelled them to "go west" yet again?

America was changing and about to enter one of the most volatile eras of its history – one of labor unrest, social upheaval, world war, anarchy.

Little did William Sallada know how his family's lives would be impacted two decades later. Part II of his story, with a tie-in to this volatile time in American history, will appear in the May-June issue.

I hope you enjoyed this issue of Digging History Magazine. I certainly enjoyed researching and writing it amidst the craziness that is my life these days.

My family recently lost a precious member, my Dad's twin brother, Earl. A tribute to my beloved Uncle Earl follows.

Until next time,

Sharon Hall, Publisher and Editor

Brothers: His Name is Spelled G-e-a-r-l-d (for good reason)

When they were born over 83 years ago I'm not certain Hulon and Willie Hall knew my grandmother was carrying twins. They had already conceived (and lost) a set of triplets. It had been about seven years since my grandparents buried their first-born toddler son, Hulon Lamar, a tragic victim of an accidental shooting in a remote area of San Miguel County, New Mexico. Life had been tough enough and then it got tougher still.

The nearest "town" was the Garita Post Office, so that's where their birth certificates state they were born. However, the place where they were born, a humble prairie dwelling, bespeaks the life and times they were born into -- the hardscrabble life of a farm and ranch family trying to eke out a living during the Great Depression.

I've heard Aunt Joy tell the story many times of how my grandfather assigned names to the twins. Hulon Hall pondered the situation thoughtfully and purposefully. They weren't identical twins, yet distinctly different, and came into the world about five minutes apart. Although the first would always say he was the "big brother" he was the smallest. After careful consideration it was decided the names would be assigned thusly: the little one would be Earl D. and the bigger one Gearld E. No middle names, just initials. Not exactly unusual, but meaningful nonetheless. Why is that?

My Dad (the bigger one) has always had issues with the spelling of his name -- not him personally, but how the world thinks his name should be spelled. Some record his name as "Gearld E." (the legal one), but more often than not as "Gerald E." Granted, the second is how everyone thinks the name should be spelled -- it is, after all, the most common spelling and pronounced "jer-uh ld". He signs his name based on the spelling on the document he's signing, yet when saying his name pronounces: beginning as a "J sound" followed by "earl" with a "d" at the end -- Gearld.

Do you see it (can you hear it)? Was my grandfather prescient? Earl D. would irrevocably be part of Gearld E. The two were meant to be part of one another, even their names. Prescient or not, so it has been. As one cousin wrote, "Oh the love between the two and the adventures they shared!"

The picture of Gearld E. holding the hand of his brother is poignant for us all as Earl D. is nearing the end of his life's journey. My Dad has his own challenges and struggled with making the trip to see his brother. I'm proud (and grateful) he nevertheless made the difficult choice because I know how much it means to Uncle Earl. Tomorrow they will be joined by their "big sister", our beloved 91 year-old Aunt Joy. They are the remaining children of Hulon and Willie (Strickland) Hall. Too soon we fear they will all be gone and we'll be left with only memories, but what great ones they are!

The world may spell it "G-e-r-a-l-d" but for those of us who know and love them most it will always be "Earl D." And "Gearld E." (for a very good reason, you see).

Sharon Hall
February 27, 2019

Postscript: On March 3, 2019 Earl D. fell into a coma and died peacefully the following evening. R.I.P Uncle Earl.

Footnotes and Sources

Confederados: Adios, Texas – Olá, Brasil

1 Cyrus B. Dawsey and James M. Dawsey, editors, *The Confederados: Old South Immigrants in Brazil* (Tuscaloosa: The University of Alabama Press, 1995), 105.

2 Dawsey, 106.

3 Dawsey, 107.

4 *The Times-Picayune*, July 15, 1865, accessed at www.newspapers.com on February 28, 2019, 8.

5 *The Times-Picayune*, July 22, 1865, accessed at www.newspapers.com on February 28, 2019, 3.

6 *The Times-Picayune*, July 31, 1865, accessed at www.newspapers.com on February 28, 2019, 2.

7 *The Times-Picayune*, August 30, 1865, accessed at www.newspapers.com on February 28, 2019, 1.

8 *The Times-Picayune*, July 27, 1865, accessed at www.newspapers.com on February 28, 2019, 1.

9 *Ibid.*

10 Donna R. Causey, "The City of Americana in Brazil was founded by many Southerners from the United States", accessed at https://www.alabamapioneers.com/brazil-alabama-confederacy/ on February 28, 2019.

11 Dawsey, 14.

12 *The South-Westerner* (Shreveport), August 23, 1865, accessed at www.newspapers.com on February 28, 2019, 2.

13 Dawsey, 51.

14 *Ibid.*

15 William Clark Griggs, *The Elusive Eden: Frank McMullan's Confederate Colony in Brazil* (Austin: University of Texas Press, 1987), 32.

16 Dawsey, 51.

17 Dawsey, 27.

18 *Ibid.*

19 Dawsey, 29.

20 *Ibid.*

21 Dawsey, 30.

22 Dawsey, 36.

23 Dawsey, 49.

24 https://www.facebook.com/festaconfederada/, accessed on February 28, 2019.

25 Dawsey, 2.

26 Mimi Dwyer, "The Brazilian Town Where the American Confederacy Lives On", accessed at https://www.vice.com/en_us/article/gq8ae9/welcome-to-americana-brazil-0000580-v22n2 on February 28, 2019.

Elusive Ancestors? Crack Open a History Book or Two (or Three)!

1 William Clark Griggs, *The Elusive Eden: Frank McMullan's Confederate Colony in Brazil* (Austin: University of Texas Press, 1987), 149.

2 Griggs, 44.

3 Griggs, 110.

4 Griggs, 89.

5 "History of the Alfred Iverson Smith Family", accessed on March 1, 2019 at https://www.ancestry.com/mediaui-viewer/collection/1030/tree/25418651/person/12590578482/media/2b7f830c-f046-4f92-ae07-077272f6f47a?_phsrc=EPq1042&usePUBJs=true.

6 *Ibid*.

7 Cyrus B. Dawsey and James M. Dawsey, editors, *The Confederados: Old South Immigrants in Brazil* (Tuscaloosa: The University of Alabama Press, 1995), 52.

8 Chiapas, accessed at https://www.history.com/topics/mexico/chiapas on March 2, 2019.

9 *Arizona Republic*, January 4, 1911, accessed at www.newspapers.com on March 2, 2019, 6.

10 *Arizona Republic*, May 14, 1912, accessed at www.newspapers.com on March 2, 2019, 7.

11 *Arizona Republic*, June 19, 1913, accessed at www.newspapers.com on March 2, 2019, 2.

12 *Mohave County Miner* (Mineral Park, Arizona), February 20, 1915, accessed at www.newspapers.com on March 2, 2019, 3.

13 *El Paso Times*, August 19 1915, accessed at www.newspapers.com on March 2, 2019, 3.

14 *El Paso Herald*, August 26, 1916, accessed at www.newspapers.com on March 2, 2019, 21.

15 *Arizona Republic*, February 28, 1924, accessed at www.newspapers.com on March 2, 2019, 3.

16 *The Salt Lake Tribune*, July 25, 1971, accessed at www.newspapers.com on March 2, 2019, 97.

17 *The Carroll Free Press* (Carrollton, Georgia), April 2, 1866, accessed at www.newspapers.com on March 2, 2019, 3.

Additional Resources:

Smith Family 1860 Census: Year: 1860; Census Place: Navarro, Texas; Roll: M653_1301; Page: 242; Family History Library Film: 805301 (Ancestry.com)

Smith Family 1850 Census (Ira W. Smith with connecting links): Year: 1850; Census Place: Division 11, Carroll, Georgia; Roll: M432_63; Page: 34B; Image: 73.

Virgil Sebastian Smith Arizona Death Record (with connecting links): Ancestry.com. Arizona, Death Records, 1887-1960 [database on-line]. Lehi, UT, USA: Ancestry.com Operations, Inc., 2016.

<u>In the Public Domain: The Grandest of Re-Openings</u>

1 "Copyright Timeline: A History of Copyright in the United States", accessed at https://www.arl.org/focus-areas/copyright-ip/2486-copyright-timeline#.XGZQFqB7mM9 on February 14, 2019.

2 *Vermont Gazette* (Bennington), June 14, 1802, accessed at www.newspapers.com on February 14, 2019, 1.

3 "Copyright Timeline: A History of Copyright in the United States", accessed at https://www.arl.org/focus-areas/copyright-ip/2486-copyright-timeline#.XGZQFqB7mM9 on February 14, 2019.

4 *Star Tribune* (Minneapolis), July 25, 1909, accessed at www.newspapers.com on February 14, 2019, 33.

5 *Ibid.*

6 *The Billings Gazette* (Montana), May 5, 2002, accessed at www.newspapers.com on February 15, 2019, 48.

7 *Ibid.*

8 Stephen Carlisle, "Mickey's Headed to the Public Domain! But Will He Go Quietly?", accessed on February 15, 2019 at http://copyright.nova.edu/mickey-public-domain/.

<u>Genealogically Speaking: Curious Kin</u>

1 Barbara Pacific Ocean Shoun, accessed on February 4, 2019 at https://www.ancestry.com/mediaui-viewer/collection/1030/tree/12227604/person/-3091682

38/media/24376724-fc0b-4a11-a784-11f9a1e56c18?_phsrc=EPq596&usePUBJs=true.

2 *The Cherokeean*, September 11, 1986, accessed at https://texashistory.unt.edu on February 7, 2019, 8.

3 Anderson County Genealogical Society. *The Tracings*, Volume 14, Number 02, July 1995, periodical, June 1995; Palestine, Texas. (texashistory.unt.edu/ark:/67531/metapth37956/: accessed February 7, 2019), University of North Texas Libraries, The Portal to Texas History, texashistory.unt.edu; crediting Anderson County Genealogical Society.

4 Cherokee County Historical Commission (Tex.). *Cherokee County History*, book, 2001; Jacksonville, Texas, page 479. (texashistory.unt.edu/ark:/67531/metapth354360/: accessed February 7, 2019), University of North Texas Libraries, The Portal to Texas History, texashistory.unt.edu; crediting Cherokee County Historical Commission.

5 *Ibid*., 11.

6 *Ibid*., 17.

7 *History of McDonough County, Illinois* (Springfield, Illinois: Continental Historical Company, 1885), 973.

8 *Ibid*.

The "Texas Troubles": Blaming it on a Match?

1 *The Daily Delta* (New Orleans), July 17, 1860, accessed at www.newspapers.com on February 10, 2019, 1.

2 *Ibid*.

3 Dallas Genealogical Society. *The Dallas Journal*, Volume 48, 2002, periodical, June 2002; Dallas, Texas, 3. (Accessed on February 10, 2019 at texashistory.unt.edu/ark:/67531/metapth186861/m1/7/?q=%22Charles%20R.%20Pryor%22, University of North Texas Libraries, The Portal to Texas History, texashistory.unt.edu; crediting Dallas Genealogical Society).

4 *State Gazette* (Austin, Texas), July 14, 1860, accessed on February 10, 2019 at https://texashistory.unt.edu/ark:/67531/metapth81442/m1/2/?q=Pryor, 2.

5 *The Daily Ledger and Texan* (San Antonio), July 23, 1860, accessed at https://texashistory.unt.edu/ on February 10, 2019, 2.

6 *Ibid*.

7 Handbook of Texas Online, Donald E. Reynolds, "BEWLEY, ANTHONY," accessed February 10, 2019, http://www.tshaonline.org/handbook/online/articles/fbe71.

8 *The Daily Ledger and Texan*, 2.

9 *The Times-Picayune*, August 19, 1860, accessed at www.newspapers.com on February 11, 2019, 4.

10 Bates, Ed. F., *History and Reminiscences of Denton County*, book, 1976; Denton, Texas. (texashistory.unt.edu/ark:/67531/metapth61103/: accessed February 11, 2019), University of North Texas Libraries, The Portal to Texas History, texashistory.unt.edu; p. 348.

11 *The Holmes County Republican* (Millersburg, Ohio), November 29, 1860, accessed at www.newspapers.com on February 11, 2019, 1.

Did You Know: Speaking of Matches

1 John Russell Barlett, *Bartlett's Dictionary of Americanisms*, (Boston: Little, Brown and Company, 1859), 252.

2 *Pacific Rural Press* (San Francisco), January 7, 1893, accessed at https://cdnc.ucr.edu on February 11, 2019, 14.

3 *The Long-Island Star*, August 22, 1836, accessed at www.newspapers.com on February 11, 2019, 2.

4 *The Progressive Age* (Coschocton, Ohio), January 5, 1869, accessed at www.newspapers.com on February 11, 2019, 3.

5 *Raftsman's Journal* (Clearfield, Pennsylvania), January 5, 1859, accessed at www.newspapers.com on February 11, 2019, 3.

Ways to Go in Days of Old

1 Dr. Bonnie Brice Dorwart, "Diseases in the Civil War", accessed on March 4, 2019 at https://www.essentialcivilwarcurriculum.com/disease-in-the-civil-war.html.

2 United States Surgeon-General's Office, *The Medical and Surgical History of the War of the Rebellion, 1861-1865*, Part II, Volume I (Washington, D.C.: U.S. Government Printing Office), 1879), 48.

3 *Medical and Surgical History*, 206.

4 *Medical and Surgical History*, 342 [footnote].

5 *Ibid.*

6 Dorwart.

7 Julian John Chisolm, *A manual of military surgery, for the use of surgeons in the Confederate States army; with explanatory plates of all useful operations* (Columbia: Evans and Cogswell, 1864), 121-2.

8 Dorwart.

9 Chisolm, 35.

10 Chisolm, 2.

11 *Appleton Post*, April 11, 1861, accessed at www.newspapers.com on March 7, 2019, 2.

12 *Daily Evening Citizen* (Vicksburg), April 27, 1861, accessed at www.newspapers.com on March 7, 2019, 2.

13 *Daily Evening Citizen*, April 30, 1861, accessed at www.newspapers.com on March 7, 2019, 2.

14 *The Burlington Weekly Citizen* (Vermont), May 31, 1861, accessed at www.newspapers.com on March 7, 2019, 2.

15 *Semi-Weekly Standard* (Raleigh, North Carolina), August 3, 1861, accessed at www.newspapers.com on March 7, 2019, 2.

16 Drew Gilpin Faust, *This Republic of Suffering* (New York: Alfred A. Knopf, 2008), 6.

17 Faust, 7.

18 Faust, 8.

19 Faust, 4.

20 *Ibid.*

<u>OK, I give up . . . what is it?</u>

1 Jeanne A. Forbes, *Records of the Town of New Rochelle: 1699-1828* (New Rochelle, New York: The Paragraph Press, 1916), 238.

2 *Hartford Courant*, January 28, 1823, accessed at www.newspapers.com on February 18, 2019, 3.

3 *Norwich Packet*, March 27, 1800, accessed at www.genealogybank.com on February 18, 2019, 4.

4 *The Boston Globe*, March 13, 1989, accessed at www.newspapers.com on February 18, 2019, 2.

5 Barbara Jean Evans, *A to Zax: A Comprehensive Dictionary for Genealogist and Historians* (Midlothian, Virginia: Hearthside Press, 1995 [Third Edition]), 136.

6 *Acts and Laws of His Majesty's Province of New Hampshire, in New England. With Sundry Acts of Parliament*, accessed on February 18, 2019 at https://books.google.com/books?id=XtwKAAAAYAAJ&dq=no+swine+of+any+kind+shall+be+suffered+to+go+at+large+new+hampshire+law&source=gbs_navlinks_s.

7 Edward Rawson (Secretary), *The general laws and liberties of the Massachusetts colony: revised & re-printed, by order of the General Court holden at Boston. May 15th. 1672*, accessed on February 18, 2019 at https://quod.lib.umich.edu/cgi/t/text/text-idx?c=evans;cc=evans;view=text;idno=N00114.0001.001;rgn=div2;node=N00114.0001.001:2.28.

8 *Ibid.*

9 *Ibid.*

10 Susan Allport, *Sermons in Stone: The Stone Walls of New England and New York* (New York: W.W. Norton & Company, 1990), 44.

11 Allport, 47.

12 *The Burlington Free Press*, March 17, 1868, accessed at www.newspapers.com on February 19, 2019, 4.

13 Alice Morse Earle, *Child Life in Colonial Days* (New York: The Macmillan Company, 1899), 314.

14 *North Texas Enterprise* (Bonham, Texas), May 17, 1873, accessed on February 18, 2019 at https://texashistory.unt.edu/ark, 4.

15 *The Dallas Daily Herald*, March 23, 1876, accessed at www.newspapers.com on February 18, 2019, 1.

16 *El Campo Leader-News* (El Campo, Texas), July 15, 1981, accessed on February 19, 2019 at https://texashistory.unt.edu/ark, 11.

17 *The State Gazette (Austin*, Texas), April 26, 1862, accessed on February 19, 2019 at https://texashistory.unt.edu/ark, 3.

18 *Dayton Daily News*, June 7, 1927, accessed at www.newspapers.com on February 19, 2019, 6.

19 David G. McComb, *Texas, A Modern History* (Austin: University of Texas Press, 1989), 92.

20 *The Galveston Daily News*, August 9, 1883, accessed at www.newspapers.com on February 22, 2019, 1.

21 *The Galveston Daily News*, March 21, 1889, accessed at www.newspapers.com on February 22, 2019, 1.

22 *Fort Worth Daily Gazette*, April 24, 1887, accessed at www.newspapers.com on February 22, 2019, 3.

23 Ira Aten (1862-1953) Bio, accessed on February 22, 2019 at https://www.texasranger.org/texas-ranger-museum/hall-of-fame/ira-aten/.

1 Elizabeth Yuko, "The First Artificial Insemination Was an Ethical Nightmare", *The Atlantic* (January 8, 2016), accessed on March 8, 2019 at https://www.theatlantic.com/health/archive/2016/01/first-artificial-insemination/423198/.

2 *Ibid.*

3 A.T. Gregoire, Ph.D. and Robert C. Mayer, M.D., "The Impregnators", *Fertility and Sterility* (January-February 1965, Vol. 16, No., 1965), 130.

4 *The British Medical Journal*, January 23, 1897, 238. Accessed on March 8, 2019 at https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2432801/?page=1.

5 Addison Davis Hard, M.D., Letter to the Editor of *The Medical World* (April 1909), 163. [accessed at https://babel.hathitrust.org/cgi/pt?id=hvd.32044103087300;view=1up;seq=192 on March 8, 2019].

6 *Ibid.*

7 Bloodlines: Technology Hits Home (Timeline), accessed on March 8, 2019 at https://www.pbs.org/bloodlines/timeline/text_timeline.html.

8 Hard, M.D., 163.

9 Hard, 163-4.

10 Gregoire and Mayer, 133.

11 J. Morse Griffin, Letter to the Editor of *The Medical World* (May 1909), 196. [accessed at https://babel.hathitrust.org/cgi/pt?id=hvd.32044103087300;view=1up;seq=234 on March 8, 2019].

12 C.H. Newth, M.D., Letter to the Editor of *The Medical World* (May 1909), 197. [accessed at https://babel.hathitrust.org/cgi/pt?id=hvd.32044103087300;view=1up;seq=234 on March 8, 2019].

13 Various opinions expressed in Letters to the Editor of *The Medical World* (June 1909), 253-4. [accessed at https://babel.hathitrust.org/cgi/pt?id=hvd.32044103087300;view=1up;seq=292 on March 8, 2019].

14 A.D. Hard, M.D., Letter to the Editor of *The Medical World* (July 1909), 306. [accessed at https://babel.hathitrust.org/cgi/pt?id=hvd.32044103087300;view=1up;seq=348 on March 8, 2019].

15 *The Tampa Tribune*, March 2, 1958, accessed at www.newspapers.com on March 9, 2019, 68.

16 *Ibid.*

17 *The Tampa Tribune*, December 19, 2013, accessed at www.newspapers.com on March 9, 2019, T34.

18 *Journal and Courier* (Lafayette, Indiana), January 3, 1958, accessed at www.newspapers.com on March 9, 2019, 9.

19 *The Amarillo Globe-Times*, January 10, 1958, accessed at www.newspapers.com on March 9, 2019, 4.

20 *The Cincinnati Enquirer*, January 26, 1958, accessed at www.newspapers.com on March 9, 2019, 30.

21 *Ibid.*

22 *The Sydney Morning Herald*, March 16, 1958, accessed at www.newspapers.com on March 9, 2019, 32.

The Dash: William H. Sallada

Primary source:

William H. Sallada, *Silver Sheaves: Gathered Through Clouds and Sunshine* (Des Moines: Self-Published, 1879), accessed at https://archive.org/details/silversheavesgat00sall on March 10, 2019.

Photo Credits

Page	Citation
Cover	South America., map, [1815..1835]; (texashistory.unt.edu/ark:/67531/metapth187463/: accessed February 27, 2019), University of North Texas Libraries, The Portal to Texas History, texashistory.unt.edu; crediting University of Texas at Arlington Library.
1	Villa Americana, https://commons.wikimedia.org/wiki/File:Villa_Americana1906.jpg
2	William Walker (Public Domain), accessed on March 10, 2019 at https://www.findagrave.com/memorial/6392237/william-walker.
3	Jubal Early (Public Domain), https://commons.wikimedia.org/wiki/File:Jubal_Early.jpg
4	William Hutchinson Norris (Public Domain), accessed on March 10, 2019 at https://www.findagrave.com/memorial/132629013/william-hutchinson-norris.
13	Virgil Sebastian Smith (Public Domain), accessed on March 10, 2019 at https://www.findagrave.com/memorial/187620516/virgil-sebaston-smith.
14	May Humphreys Smith (Public Domain), accessed on March 10, 2019 at https://www.findagrave.com/memorial/187621524/may-smith.
30	Thomas Jefferson Roach and Wife (Public Domain), accessed on March 10 ,2019 at https://www.findagrave.com/memorial/67301588/thomas-jefferson-roach.
31	Mary Lucas Head (Public Domain), accessed on March 10, 2019 at https://www.findagrave.com/memorial/62604746/mary-head.
49	Joseph Farwell Glidden (Public Domain), accessed on March 10, 2019 at https://www.findagrave.com/memorial/16162118/joseph-farwell-glidden.
50	[Ira Aten, a Texas Ranger], photograph, Date Unknown; (texashistory.unt.edu/ark:/67531/metapth1449/: accessed March 10, 2019), University of North Texas Libraries, The Portal to Texas History, texashistory.unt.edu; crediting Fort Bend Museum.